

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAMON CHAPPELLE,
Plaintiff

vs.

DAVID VARANO, SUPERINTENDENT,
SCI-COAL TOWNSHIP; MICHELLE : NO. 11-0304
KODACK, RECORDS SUPERVISOR,
SCI-COAL TOWNSHIP; DEBORAH :
HERBST, RECORDS SPECIALIST,
SCI-COAL TOWNSHIP; MR. DUNN, :
UNIT MANAGER, SCI-COAL
TOWNSHIP; MS. FOULDS, :
COUNSELOR, SCI-COAL TOWNSHIP,
Defendants:

COPY

Deposition of: DEBORAH HERBST

Taken by : Plaintiff

Before : Faith A. Culp
Reporter-Notary Public

Beginning : July 6, 2012; 9:52 a.m.

Place : SCI-Coal Township
1 Kelley Drive
Shamokin, Pennsylvania

COUNSEL PRESENT:

JENNIFER J. TOBIN, ESQUIRE
718 Arch Street, Suite 304 South
Philadelphia, Pennsylvania 19106
For - Plaintiff

1 COUNSEL PRESENT (continued):

2 TIMOTHY P. KEATING, ESQUIRE
3 Senior Deputy Attorney General
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8 For - Defendants
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1 STIPULATION

2 It is hereby stipulated by and between
3 counsel for the respective parties that sealing,
4 certification and filing are hereby waived; and that
5 all objections except as to the form of the question
6 are reserved to the time of trial.

7
8 * * *

9
10 DEBORAH HERBST, called as a witness, having
11 been duly sworn or affirmed, testified as follows:

12 DIRECT EXAMINATION

13 BY MS. TOBIN:

14 Q Good morning, Ms. Herbst. Am I saying that
15 correctly?

16 A Herbst, yes.

17 Q My name's Jennifer Tobin. I'm the lawyer for
18 the Plaintiff in this case, Damon Chappelle. And I'm
19 just going to go over some brief instructions on how
20 the deposition will go today.

21 Have you ever had a deposition taken before?

22 A No.

23 Q Okay. So a deposition is essentially a
24 question and answer session. And in order for the
25 record to be clear at the end of the deposition, there

1 will be a typed transcript with all of the words that
2 I say and all of the words that you say on a piece of
3 paper, on a transcript.

4 In order for that to be clear, the first rule
5 of depositions is for you to please wait until I'm
6 done asking a question before you start with your
7 answer. It just makes it easier for everyone to read
8 the transcript later. And I will also try to abide by
9 the same rule. And sometimes we're human so we forget
10 that. And if you do that, that's fine.

11 The other deposition -- main thing about a
12 deposition is that all of your answers need to be
13 vocal. So instead of nodding your head or shaking
14 your head, if you could give a yes or a no.
15 Something that the court reporter, Ms. Culp, can hear
16 so that she can type it down. Does that make sense?

17 A Yes.

18 Q Okay. If you don't remember something, it's
19 perfectly fine to say that. Just that's an adequate
20 answer. If you are approximating an answer, let me
21 know this is an approximation.

22 If you answer the question that I ask, I'm
23 going to assume that you understood the question. So
24 if you don't understand a question, if it's unclear to
25 you in any way, let me know and I'll rephrase it. I

1 want to ask questions that you're able to understand
2 and then answer. Does that make sense?

3 A Yes.

4 Q Okay. Other thing is if you need to take a
5 break for any reason, just let me know. We are not
6 going to be incredibly long today. I imagine it'll
7 take some time to ask all the questions I need to and
8 we may break for lunch. But if you need a break other
9 than that, let me know. All I ask is that you answer
10 the question that's pending before we take the break.

11 A Okay.

12 Q Are you taking any medications today that
13 would affect your ability to answer my questions
14 completely and truthfully?

15 A No.

16 Q Any other reason you can think of that you
17 wouldn't be able to answer my questions completely and
18 truthfully?

19 A No.

20 Q Okay. I understand that you're retired from
21 your position at Coal Township?

22 A Yes.

23 Q When did you retire?

24 A 5/28/09.

25 Q Okay. And what was the position from which

1 you retired?

2 A Records specialist two.

3 Q Okay. How long were you in that position?

4 A I'm not quite sure when I was made a two. I
5 was a one when I came here.

6 Q When did you start?

7 A October '09 -- I mean '06. Sorry.

8 Q Okay. So October '06 you started as a
9 records specialist one?

10 A Yeah.

11 Q And then do you have an idea of how long you
12 were a one before you were promoted?

13 A I think you need to be a one for a year
14 before they put you in the two position. But I'm not
15 quite sure when I was made a two.

16 Q Okay. Did your job duties change radically
17 from going from a one to a two?

18 MR. KEATING: Objection to the question.
19 What do you mean by radically?

20 BY MS. TOBIN:

21 Q Did your job duties change at all going from
22 a records specialist one to a records specialist two?

23 A Only thing between a one and a two is I
24 picked up a caseload.

25 Q And when you were a records specialist one,

1 you didn't have a caseload?

2 A No. I was doing inside work going in doing
3 photos, things like that. Checking the new charts.

4 Q And when you picked up a caseload, does that
5 mean that you were responsible for a certain number of
6 files?

7 A Yes.

8 Q And those were inmate files?

9 A Yes.

10 Q Okay. When you picked up the caseload for
11 the first time, approximately how many inmate files
12 were you responsible for?

13 A I have no idea. I don't remember how many it
14 was. I had three numbers, but I don't remember how
15 many.

16 Q When you say you had three numbers?

17 A I had seven, eight, and nine. The inmate
18 numbers ended in a seven, eight or nine, but I don't
19 know how many that would have been.

20 Q Okay. How many other records specialist twos
21 were with you at the time you became a records
22 specialist two?

23 A I know of two. I don't know. I think that
24 was it, just two.

25 Q And so the three of you had a caseload that

1 consisted of all the inmates at the institution?

2 A Yes.

3 Q Okay. So you split them up evenly?

4 A Pretty much so, yeah.

5 Q Before you started in October of '06 as a
6 records specialist one, had you worked in the
7 Pennsylvania DOC prior?

8 A Yeah. I worked at Camp Hill.

9 Q What did you do at the --

10 A I worked at the central records where all the
11 new inmates' records were done.

12 Q When did you start that job?

13 A April of '06.

14 Q And what was your title there?

15 A Records specialist one.

16 Q And what were your duties at the central
17 records office?

18 A We just got the new charts and put everything
19 in the system of the new inmates that came into the
20 system.

21 Q Is that the process of putting it into the
22 computer system?

23 A Yes.

24 Q And prior to April of '06, had you worked at
25 DOC?

1 A No.

2 Q Could you give me a brief overview of your
3 jobs that you've had, professional jobs after high
4 school?

5 A I worked for the state police CLEAN center
6 and then I had part-time jobs before I started working
7 for the Department of Welfare at the Selinsgrove
8 Center.

9 Q I didn't catch that. At the where?

10 A Selinsgrove Center.

11 Q And that was the state Department of Welfare?

12 A Yes.

13 Q What did you do for them?

14 A I was an aide there. I took care of the
15 individuals that lived there.

16 Q And that was in Selinsgrove?

17 A Um-hum.

18 Q Can you describe who lived there?

19 A People with mental problems.

20 Q And when you worked for the state police
21 CLEAN center, what was your job there?

22 A Mostly I took care of -- I worked in the
23 computer center where if anyone was having problems
24 with their terminal, we would call and see what was
25 wrong and see if we could get them back working.

1 Q And then after the Department of Welfare^--
2 roughly what time period was the Department of Welfare
3 job?

4 A I started December of '85 until I transferred
5 to the DOC.

6 Q '85 to 2006?

7 A Um-hum.

8 MR. KEATING: You have to say yes or no. You
9 can't just say um-hum.

10 THE WITNESS: Yes. Sorry.

11 BY MS. TOBIN:

12 Q Thank you. And then how long were you at the
13 CLEAN center prior to the Department of Welfare?

14 A About two years.

15 Q Did you graduate from high school?

16 A Yes.

17 Q And did you get -- have any post high school
18 education?

19 A Yes.

20 Q What was that?

21 A I went to HACC. I have an associate's degree
22 in police administration.

23 Q And I'm sorry. I missed that. Where did you
24 go?

25 A HACC.

1 MR. KEATING: Harrisburg Area Community
2 College.

3 THE WITNESS: Harrisburg Area Community
4 College. Sorry.

5 MR. KEATING: H-A-C-C.

6 MS. TOBIN: Thank you.

7 BY MS. TOBIN:

8 Q When did you get that?

9 A '72.

10 Q And do you have a job now in your retirement?

11 A I have a part-time job, yes.

12 Q What is that?

13 A I'm a merchandiser for American Greetings.

14 Q Is that the card company?

15 A Yes.

16 Q Why did you retire?

17 A Tired of driving 61 and working full time.

18 Q Are you enjoying it?

19 A Yes, I am.

20 Q I'm going to get a little bit into your job
21 here as a records specialist. Can you describe for me
22 what your main duties were as a records specialist
23 two?

24 A We just took care of the charts, made sure
25 the legal work was done. If the inmates had any

1 requests, we took care of them. We watched to see
2 when their maxes or mins were coming up. If they were
3 put on parole, they were left out on parole, we took
4 care of all of that. Whatever paperwork needed to be
5 done before they were released, we had to do.

6 Q And when you say you took care of the charts,
7 what are the charts?

8 A The inmates' files with all their paperwork
9 in.

10 Q Is that also called a DC-15?

11 A Yeah. I don't remember that kind of stuff.

12 MR. KEATING: If you don't remember, the
13 answer is I don't remember. You don't have to just go
14 ahead and agree with everything. Just think about
15 what the question is and try to answer.

16 THE WITNESS: Yeah.

17 BY MS. TOBIN:

18 Q So the chart is the whole file?

19 A The whole thing, yes.

20 MR. KEATING: You also have to let her finish
21 the question before you answer.

22 THE WITNESS: Sorry.

23 MR. KEATING: I know. It's normal. Very
24 normal.

25 BY MS. TOBIN:

1 Q So you were responsible for putting papers
2 into the files or the charts as you say?

3 A Yes. If it was something that came in, we
4 took care of it.

5 Q Were you also responsible for keeping track
6 of what papers were in the files?

7 A Not necessarily, no. I mean there was stuff
8 in there that was in there before I started here. I
9 don't know who was responsible for that.

10 Q And you took care of inmate -- you said
11 inmate requests?

12 A Sometimes they sent back asking for
13 information on different things and we answered them
14 best we could.

15 Q And you monitored their max and min dates.
16 How did you do that?

17 A Mostly their max. We had a -- there was a
18 system in the computer that said who was up for max
19 dates.

20 Q And so how did you as a records specialist
21 two monitor that?

22 A We checked it to see who was coming up for
23 max dates and we'd do what we had to do to take care
24 of it.

25 Q You would look on a computer screen?

1 A Yeah. Yes.

2 Q How often would you do that?

3 A I don't remember how often we did it.

4 Q Was there a procedure that you followed for
5 checking on max and min dates?

6 A I don't know if there was a system for that
7 or not. We just -- you know.

8 Q How did you learn how to do that? How did
9 you learn that that was part of your job?

10 A Someone explained it to me.

11 Q And so you had some kind of training?

12 A Yes.

13 Q Who gave you your training?

14 A Mostly Michelle and if I had a lot of
15 questions, I asked Chris. She's been there for a
16 while.

17 Q And so you mean Michelle Kodack?

18 A Yes.

19 Q Okay. And who's Chris?

20 A Chris she's one of the ladies that works over
21 in the office.

22 MR. KEATING: Do you know her last name?

23 THE WITNESS: Phobia (phonetically).

24 BY MS. TOBIN:

25 Q Was she also a records specialist?

1 A Yes.

2 Q Chris Phobia. Okay. Did you have any
3 training on how to do the records specialist job
4 before you started at Camp Hill in '06?

5 A No.

6 Q Did your job at Camp Hill in '06 have any
7 similar duties to your records specialist job at the
8 institution?

9 A Not really. The only thing would be putting
10 legal stuff into the system. That was it.

11 Q Data entry into the computer?

12 A Right.

13 Q What kind of things would you put into the
14 computer at Camp Hill?

15 A Their sentence. If they had any detainers.

16 Q And did you also do that duty when you
17 started working at Coal Township as a records
18 specialist?

19 A Yes.

20 Q I'm going to show you a document.

21 (Whereupon, a document was produced and
22 marked as Herbst Exhibit No. 1 for identification.)

23 BY MS. TOBIN:

24 Q I'm showing you what's been marked as Herbst
25 1. If you could -- you'll see on the first page of

1 this document there's what looks like the top of a box
2 and the first paragraph in the box says position
3 purpose. If you could read to yourself, just review
4 that and the following pages, and let me know when
5 you're done.

6 A Okay.

7 Q Are you done?

8 A Yes.

9 Q Do you recognize the text of this document?
10 Do you know what this is?

11 A This?

12 Q Yes.

13 A This is my job description.

14 Q Okay. And this is your description as a
15 records specialist two?

16 A Yes.

17 Q Okay. I'm going to go through just a few
18 things that I have questions about within the job
19 description.

20 Looking at the first paragraph, functions as
21 a records specialist two at SCI-Coal Township and is
22 responsible for the maintenance of the inmate DC-15
23 file.

24 Was there anyone else aside from the records
25 specialist two who was responsible for the maintenance

1 of the file?

2 MR. KEATING: The DC-15 file?

3 MS. TOBIN: Yes.

4 MR. KEATING: That you know.

5 THE WITNESS: I don't know.

6 BY MS. TOBIN:

7 Q What did the maintenance -- what does that
8 mean to you?

9 A Just putting in what needed to be put in it.
10 Sometimes people would come in and write stuff in it
11 that^--

12 Q Did you have to control who would write
13 things in it or could people access the file without
14 going through you?

15 A They can access the file without going
16 through us.

17 Q Okay. Skipping to the next section,
18 description of duties. The first paragraph, the
19 records specialist two position is assigned to the
20 inmate records office under the direct supervision of
21 the records supervisor.

22 Was Michelle Kodack your records supervisor
23 during the whole time you were a records specialist
24 two?

25 A No. Don Young was the supervisor when I

1 first came.

2 Q And at what point -- do you remember at what
3 point Michelle Kodack became your supervisor?

4 A No. Don moved on to a different institution
5 and she got the position.

6 Q Okay. Was there anyone else at Coal Township
7 that supervised you in doing your duties?

8 A No.

9 Q The next sentence. This is an advanced,
10 specialized information management and documentary
11 investigative duty position.

12 What does that mean to you? What does that
13 sentence mean?

14 A I don't know.

15 Q Documentary investigative duty. Does that
16 have any meaning to you?

17 A Just that I guess if something needed to be
18 looked into, we looked into it.

19 Q You would look at the documents in the file?

20 A If we had to.

21 Q A little further down on that paragraph. The
22 responsibilities assigned to the records specialist
23 two are the computation and recomputation of state and
24 county sentences imposed by the court system in
25 accordance with the mandates of the court and the

1 Commonwealth sentencing rules, regulations and laws,
2 and Department of Corrections policy.

3 What is computation and recomputation of
4 sentences?

5 A Sometimes when they went out, they got new
6 sentences. Sometimes. And then we had to put them in
7 the system.

8 Q So when you computed a sentence, what did
9 that mean that you had to do?

10 A We put the new thing -- we put the new
11 sentence in the computer and figured out how long
12 either they had to do time.

13 Q Would you do -- would you do the math? Would
14 you do the calculation to compute how long they had to
15 be there or what did you -- you just typed in?

16 A You just typed in what was done and it
17 automatically took care of it.

18 Q Would you type in dates then?

19 A Yes.

20 Q Okay. And where would you get those dates
21 from?

22 A Off the sentencing orders.

23 Q And where would you get the sentencing
24 orders?

25 A From the courts.

1 Q And the last part of that -- or the next part
2 rather. To ensure that inmates are properly committed
3 and confined; analysis and interpretation of court
4 orders and/or supporting documentation to determine
5 appropriate course of action as it relates to imminent
6 release, change in place of confinement or commitment
7 credit, to ensure timely and appropriate presentation
8 for parole consideration or discharge at expiration of
9 maximum sentence.

10 You said you got the court orders, the
11 sentencing orders from the courts. Did you get
12 sentencing information from any other source apart
13 from courts?

14 A Not the original sentence, no.

15 Q And if they got sentenced again, you'd also
16 get that from a court?

17 A If it was a new one, yeah.

18 Q What was the supporting documentation in
19 addition to court orders?

20 A I have no idea. I don't remember is what I
21 should say.

22 Q The next sentence, initiate action to obtain
23 additional data or information necessary to reconcile
24 identified discrepancies or inconsistencies in court
25 determination. What does that mean?

1 A I don't remember what that --

2 Q What would you do if you discovered an error
3 or a discrepancy?

4 A I'd check into it.

5 Q How would you do that?

6 A Call the courts.

7 Q And who would you call at the court?

8 A Usually a court clerk.

9 Q For the county courts?

10 A For the counties.

11 Q Would that resolve the problem?

12 A Not necessarily.

13 Q What would your next step be if that didn't
14 resolve the problem?

15 A I'd go to my supervisor to find out what the
16 next step would be.

17 Q But you had authority to call the court to
18 try to figure out a problem?

19 A If there was a problem, we called the court,
20 yes.

21 Q Would you let your supervisor know that you
22 were calling the court or could you do that on your
23 own?

24 A If we realized there was a problem, we could
25 do it on our own, yes.

1 Q And if you did that, would there be some kind
2 of notation in the file that you did that?

3 A Yes.

4 Q What form would that notation take?

5 A I don't remember what we used. But we put a
6 note in the --

7 Q There would be some kind of --

8 A Right. Written.

9 Q -- written form? Could you look into -- what
10 other access -- what other information did you have
11 access to if you needed to check on somebody's
12 sentence whether you had the right information?

13 A I don't remember what we had. There's a lot
14 of things I don't remember, period.

15 Q That's a legitimate answer.

16 A Right.

17 Q I just need to ask the questions though.

18 A I know.

19 Q So the next part, ensure accurate information
20 is maintained in the inmate records system computer
21 and that changes are entered as they occur as a result
22 of sentence recalculation via the DC-23B sentence
23 status change report.

24 Who would do sentence recalculation? It
25 mentions sentence recalculation there. Who did that?

1 How did that come about?

2 A I don't -- we did some of it if their
3 sentences were changed.

4 Q Did anyone else do sentence recalculation
5 besides the records specialist two?

6 A Parole would have a little bit of say if they
7 came back off parole.

8 Q Anyone else within the DOC records
9 department?

10 A No. Everything came from the courts.

11 MR. KEATING: No. No. No. I think the
12 question was does anyone in the DOC records department
13 would do sentence recalculations?

14 MS. TOBIN: Yes.

15 MR. KEATING: Other than --

16 MS. TOBIN: Other than a records specialist
17 two.

18 BY MS. TOBIN:

19 Q For example, could your supervisor do that?

20 A Yes.

21 Q Okay. But a records specialist one could
22 not? Do you know?

23 A I don't know.

24 Q Okay.

25 (Whereupon, a document was produced and

1 marked as Herbst Exhibit No. 2 for identification.)

2 BY MS. TOBIN:

3 Q I'm showing you what was previously marked as
4 Kodack 39 and it's Herbst 2. Do you recognize that
5 document?

6 A No.

7 Q You've never seen this before?

8 A I probably seen it before, but I don't
9 remember what it is.

10 Q You don't remember using these?

11 A No.

12 Q If you could just take a moment to review,
13 just read it to yourself. Just review it to yourself
14 and let me know when you're done. Are you done
15 looking at it?

16 A Yeah.

17 Q Do any of the categories of information or
18 the labels on this correspond to doing sentence
19 computations?

20 MR. KEATING: I'm going to object to that.

21 BY MS. TOBIN:

22 Q If you understand my question, you can answer
23 it.

24 MR. KEATING: It's not a question whether she
25 understands or not. She doesn't recall this at all.

1 BY MS. TOBIN:

2 Q For example, let's take a look at section
3 two.

4 MR. KEATING: You're asking her questions
5 about a document that she's testified that she doesn't
6 know what it is and she doesn't recall what it is.

7 MS. TOBIN: I understand that. But there's
8 some labels and words on this document that she might
9 understand so I'm going to ask her about that.

10 MR. KEATING: I think she understands. Most
11 of the words are in English.

12 BY MS. TOBIN:

13 Q For example, overlapping concurrent sentence
14 is a box in section two. Do you know what an
15 overlapping concurrent sentence is?

16 A Yeah. He got two sentences and he's doing
17 them at the same time.

18 Q Okay. And underlapping concurrent sentence
19 is the box next to that. What is an underlapping
20 concurrent sentence?

21 A That I don't remember.

22 Q Reconsidered sentence?

23 A I don't remember that one either.

24 Q Corrected commitment?

25 A Don't remember that either.

1 Q Recomputed sentence at the far right?

2 A They had to redo his sentence for a reason or
3 other.

4 Q When you say they, do you mean DOC?

5 A Could be coming from the court, could be
6 coming from parole, could be coming from anybody.

7 Q When you got information that somebody's
8 sentence was being changed or they got a new sentence
9 or they -- something changed to their sentencing, what
10 would you do as a records specialist two?

11 A Go back in the system and put it in.

12 Q Would you put that in -- you would do that
13 just directly into the computer?

14 A Yes.

15 Q Would you do that on a screen that had the
16 label DC-16E? Does that sound --

17 A Yeah.

18 Q -- familiar? Would you also --

19 MR. KEATING: You have to allow her to finish
20 the question before you answer.

21 THE WITNESS: Sorry.

22 BY MS. TOBIN:

23 Q Would you also fill out a DC-16E in paper
24 form or would you just type it onto a computer screen?

25 A It would get printed back out and it would

1 have to go through the supervisor.

2 Q Okay. But you don't recall using this DC-23B
3 form?

4 A No.

5 Q Going back to the first document, Herbst 1.
6 The last phrase on the top paragraph, as necessary,
7 records office staff meets with inmates to explain
8 complex or multiple sentence status changes. Did you
9 meet with inmates yourself?

10 A No.

11 Q Who met with the inmates?

12 A I have no idea. I don't know.

13 Q This is your job description.

14 A That's my job description, but I never met
15 with any inmate to talk about his sentencing.

16 Q Did you sometimes answer inmate request forms
17 about sentencing issues, the papers?

18 A Yes.

19 Q But you wouldn't follow-up with an interview?

20 A No.

21 Q Is there a reason you didn't meet with them?

22 A Not that I know of.

23 Q Did anyone tell you that you couldn't meet
24 with them?

25 A No.

1 Q Then why -- you don't know why you didn't?

2 A I never had to. I don't remember ever
3 meeting with an inmate on any of their sentencing. If
4 they had any questions on their sentencing, they had
5 to go back to the courts.

6 Q If they had a question about a sentence
7 calculation, they could ask you though, right?

8 A They could ask.

9 Q And would you respond to that?

10 A I would respond.

11 Q How would you respond?

12 A Back in another -- answer his request and
13 send it back to him.

14 Q In writing?

15 A In writing.

16 Q Next paragraph about three lines down.

17 Written contact with court officials when it has been
18 determined that the Department cannot legally honor a
19 court order.

20 When can the Department not legally honor a
21 court order?

22 A If the min and max aren't right.

23 Q And how do you know if the min and max aren't
24 right?

25 A Min has to be at least half his complete

1 sentence.

2 Q And so --

3 A Or it doesn't have to be but it can't be more
4 than half of his max, the min. He can get one to
5 something but he can't get -- he can't get six to ten.
6 He can get five to ten.

7 Q So if you discovered that on a court order,
8 you would call -- you would write to the court or call
9 them?

10 A We would call.

11 MR. KEATING: I'm going to object to that
12 question. You're giving her an either or option to
13 answer that and it's misleading.

14 THE WITNESS: Actually, that should have been
15 taken care of before we got the court paperwork for
16 them. Central office should have taken care of that.

17 BY MS. TOBIN:

18 Q Would you contact central office then? If
19 you discovered an error, would the central office be
20 your first place to contact?

21 A They should have taken care of that before we
22 got it.

23 MR. KEATING: That's not the question. You
24 have to listen to the question.

25 BY MS. TOBIN:

1 Q If they didn't take care of it, if they
2 missed it and it got to you and you discovered a
3 problem?

4 A I'd go to Michelle. I go to the supervisor.

5 Q The comprehensive review of an inmate's file
6 when processing inmates pending prerelease status,
7 outside clearance, parole or final discharge to
8 include the investigation of all arrests with unknown
9 dispositions.

10 What would you look at during the review of
11 the inmate's file when they're pending prerelease
12 status?

13 A We just make sure he didn't have any
14 outstanding charges.

15 MR. KEATING: The question is what would you
16 look at?

17 THE WITNESS: I would look at his file or we
18 have to do a CLEAN backup on him before we send it
19 out.

20 BY MS. TOBIN:

21 Q In the file, what documents would you look
22 at?

23 A I don't remember what we looked at.

24 Q What types of information -- you mentioned
25 earlier you wanted to make sure he didn't have any

1 outstanding arrests?

2 A We ran a rap sheet on him on the CLEAN
3 system.

4 Q To see if he didn't have any pending charges?

5 A Right.

6 Q What would you look at if he was pending
7 parole or final discharge?

8 A We'd have to -- he'd have to go to parole if
9 he was pending parole.

10 MR. KEATING: The question is what would you
11 look at in the file if the inmate was pending -- the
12 question is what would you look at in the file if he
13 were pending parole release? Is that the question?

14 MS. TOBIN: Or final discharge.

15 THE WITNESS: I don't remember what we looked
16 at.

17 BY MS. TOBIN:

18 Q This mentions the investigation of arrests
19 and unknown dispositions. Is that what you referred
20 to as the rap sheet?

21 A Yes.

22 Q And is that something that comes -- how do
23 you access the rap sheet?

24 A Through the CLEAN system.

25 Q And is the -- what is the CLEAN system?

1 A Commonwealth Law Enforcement Assessment
2 Network.

3 Q And that's where you used to work?

4 A Yeah.

5 Q So what kind of information did you get at
6 the CLEAN -- through the CLEAN system?

7 A All their arrests.

8 Q And were you -- did you also have access to
9 their convictions through the CLEAN system?

10 A That I don't remember.

11 Q Could you access other sources of information
12 to find out what their convictions were?

13 A I don't remember that either.

14 Q What about other sources besides their file
15 to find out what their sentences were?

16 A I can't recall what we looked at.

17 Q Through independent analysis of presentence
18 investigation reports. What does that mean?

19 A I don't know.

20 Q Do you know what a presentence investigation
21 report is?

22 A No.

23 MR. KEATING: Where are we at on this?

24 MS. TOBIN: We're on the second paragraph.

25 BY MS. TOBIN:

1 Q Did you have -- it mentions the National
2 Crime Information Center. Did you have access to
3 NCIC? Was that part of the CLEAN system or was that
4 separate?

5 A I'm not quite sure if it was or not. It
6 might have been.

7 Q And the Pennsylvania State Police Central it
8 says Respiratory but I'm guessing that means
9 Repository. Did you have access to that system as
10 well?

11 A I don't remember if we did or not.

12 Q Do you remember what the -- what was the
13 reason for doing these checks before somebody was
14 released?

15 A I guess to make sure he had no outstanding
16 court things that maybe somebody would need him for.

17 Q Was it to make sure that you didn't release
18 him erroneously?

19 A Could have been.

20 Q At the very bottom of this page, page two,
21 the last paragraph gives a job duty as the interview
22 of parole violators returned by PBPP field agents.
23 Who did the interviews of parole violators?

24 A Parole.

25 Q Did you do interviews when they came back as

1 part of your job as a records specialist?

2 A The only thing I remember doing is going in
3 and making new photos of them, new ID's, and doing
4 their fingerprint. Make sure they have the right
5 paperwork when they came in.

6 Q And what paperwork was that?

7 A They had to have some kind of form that said
8 they were bringing them back.

9 Q Was that a body receipt?

10 A Probably. I don't quite remember but yeah,
11 probably it was.

12 Q Any other paperwork that had to come back
13 with the inmate?

14 A I don't remember.

15 Q Did you actually talk with the inmate when he
16 came back?

17 A Just long enough to do his fingerprints and
18 do the photo.

19 Q And take another photo. The next part, the
20 monitoring of parole violators who are in pending
21 status. What is pending status?

22 A I don't remember.

23 Q To ensure timely recommitment or appropriate
24 release by the board. What is monitoring of parole
25 violators? Do you remember what monitoring you did?

1 A No.

2 Q The review and analysis of board actions to
3 include but not limited to paroling, detain, continue
4 and when available actions. What did you do to review
5 and analyze the board actions?

6 A I don't remember.

7 Q Did you review parole paperwork? Do you
8 remember reviewing that at all?

9 A No, I don't remember doing that. I'm sure I
10 did it, but I don't remember it.

11 Q Do you remember the purpose of doing it?

12 A No.

13 Q What's a recommitment order?

14 A That comes from parole. They're being
15 recommitted.

16 Q And what does that mean?

17 A It means he messed up and they brought him
18 back to jail.

19 Q Is that something that you would review when
20 the person came back?

21 A I don't remember. I'm sure, but I don't
22 remember.

23 Q Did you have interactions with anyone in
24 parole as part of your job as a records specialist?
25 When a parole violator came back and he was in your

1 caseload, did you talk to someone in either the
2 institutional parole office or the parole board if you
3 had questions about his sentences or his status?

4 A If we had questions, yes.

5 Q Do you remember talking with anybody -- did
6 you ever do that?

7 A Sometimes, yeah.

8 Q And who would you talk with?

9 A Anybody in parole.

10 Q Would it be the institutional parole office?

11 A Yes.

12 Q And what kind of questions would you have
13 that would make you talk with them?

14 A Oh, I don't remember.

15 Q Did you ever meet with the inmate's counselor
16 or unit manager if you had questions about what's
17 going on with the inmate?

18 A Nope. No.

19 Q Did you -- but you did meet with your
20 supervisor?

21 A If I had a question, I asked my supervisor,
22 yes.

23 Q Okay. If you skip to the next page, page
24 three. Third paragraph down. The processing of
25 inmate receptions. What did you do when an inmate

1 first came in to Coal Township, not a parole violator
2 but just a brand new inmate coming to Coal Township,
3 what was your function or role there?

4 A Just to make sure that everything was okay in
5 their chart.

6 Q What would you look -- what specific things
7 would you look for in their charts?

8 A We always checked the legal stuff. Make sure
9 everything was okay.

10 Q And is that the court orders?

11 A Yes.

12 Q Did you have a checklist that you followed to
13 do that job?

14 A No.

15 Q How did you know what to check, what to
16 review?

17 A It was kind of we were told what to check but
18 we didn't have an official list.

19 Q Is there anything besides court orders?

20 A That was about it.

21 Q And this mentions that you reviewed the
22 detainer status?

23 A Yes.

24 Q What does that mean?

25 A Detainers means another county wants him

1 for^--

2 Q And how did you review the detainer status?

3 A We just checked to see if they had any.

4 Q Would you check in the paper file or on the
5 computer or where would you check?

6 A On their -- it's usually on their sentencing
7 on the computer.

8 Q And is that the information that would have
9 been put in at Camp Hill at central office?

10 A Yes.

11 MR. KEATING: You have to let her finish the
12 question before you answer it, please.

13 THE WITNESS: Okay. Sorry.

14 MR. KEATING: It's okay.

15 BY MS. TOBIN:

16 Q What's current legal disposition authority in
17 that same paragraph?

18 A I don't remember what that is.

19 Q And official version/PSI and current criminal
20 history. Is that something that would also be in the
21 DC-15 that you would check?

22 A Yeah.

23 Q Skip the next paragraph, and then the next
24 one after that is certification by the Pennsylvania
25 State Police to access NCIC/CLEAN system, with

1 recertification being obtained every two years. You
2 were CLEAN certified?

3 A Yes.

4 Q And then three more paragraphs down, the
5 maintenance, storage, and access of all inmate
6 records, excluding the medical record jacket and the
7 responsibility for the security of the inmate records
8 jacket, DC-15, maintained on every inmate, both active
9 and inactive.

10 Where were the files stored at Coal Township?

11 A In the records office.

12 Q Did you have any system of checking in or
13 checking out the files if someone borrowed a file?

14 A They had to sign a paper saying they had it.
15 But most of the time they just left it there.

16 Q And was there a system in place where either
17 you or someone else in records would go through the
18 file to audit it and make sure that all of the
19 required documents were in it?

20 A No.

21 Q So if somebody took something out of the
22 file, you wouldn't necessarily know that until later?

23 A Yes.

24 MR. KEATING: If at all.

25 THE WITNESS: Yeah.

1 BY MS. TOBIN:

2 Q At the bottom of this page, filing
3 correspondence and reports received from outside
4 agencies on a daily basis.

5 What outside agencies would you receive
6 documents from to put in the file?

7 A Courts. I don't remember if there was
8 anybody else or not.

9 Q And then dissemination of information
10 regarding population movements via count and the end
11 of the month report. What's the end of the month
12 report?

13 A I have no idea.

14 Q What's population movements?

15 A That's the coming and going of inmates.

16 Q So would you keep track of that as a records
17 specialist, where the inmate was if he was in your
18 caseload?

19 A No.

20 Q Who would keep track of that?

21 A There's a daily report done every day they do
22 count. I could check that to see if an inmate was in
23 or out.

24 Q And this mentions dissemination of
25 information. Who would get the information about the

1 population movements?

2 A I don't remember who all got -- who all got
3 that every day.

4 Q Were there other reports that you were
5 involved in producing?

6 A I don't remember what all I had to.

7 Q If you go to the next page. Prepare county
8 parole applications, computation summaries, inmate
9 records reviews, and DC-13A reports. What's an inmate
10 records review?

11 A I don't remember what that was.

12 Q Do you remember what a DC-13A report is?

13 A No.

14 Q Did you ever attend a judicial hearing?

15 A Yes.

16 Q What kind of judicial hearing did you attend?

17 A If they were going to be extradicted out of
18 the state.

19 Q What was your purpose at the hearing?

20 A Just to take the paperwork in; and if they
21 had any questions, answer them.

22 Q And computing the daily count. How did you
23 do that?

24 A I only did it a few times. I could do it.
25 You took count of everybody that was here, who was out

1 like at hearings or who was in the hospital or who was
2 out doing another sentence somewhere else.

3 Q And would you compute that on the computer?

4 A It was done on the computer. Actually,
5 mostly done physically and then --

6 Q Where would you get the information to go
7 into that?

8 A I don't remember where we got it from. That
9 I don't remember. I know I've done it already, but I
10 don't remember doing it.

11 Q You didn't do that every day?

12 A No, I didn't do it every day. No.

13 Q Assist staff with inquiries regarding
14 inmate's records. Which staff would have inquiries or
15 what does that mean to you?

16 A If someone come in and wanted to check the
17 chart and find out or something, we could answer them.

18 Q So you were available to meet with staff
19 people about inmates' files?

20 A If they came into the office, yes.

21 Q Initiate OVRT's upon reception of 2R, 1G
22 screenings. What does that mean?

23 A I have no idea. I don't remember. I have no
24 idea.

25 Q OVRT. Do you know what a 2R, 1G screening

1 is?

2 A No. Don't remember that either.

3 Q And recommitment of parole violators and new
4 inmates received into this institution. Is that the
5 process you talked about earlier where they would come
6 in and you would fingerprint them again?

7 A Yes.

8 Q And new picture?

9 A Yeah.

10 Q And you said you would review the file?

11 A Yeah.

12 Q Any other tasks associated with recommitment
13 of parole violators?

14 A Not unless it was my number and then I would
15 redo his sentencing when he got in, whatever that is.
16 I think it is.

17 Q Were you -- did you supervise or give
18 direction to the records specialist ones? Do you
19 remember doing that?

20 A If they came and asked me a question, I'd
21 answer as best I could.

22 Q Anything else that's not on this paper that
23 you remember as your job duties as a records
24 specialist two?

25 A No.

1 (Whereupon, a documents was produced and
2 marked as Herbst Exhibit No. 3 for identification.)

3 BY MS. TOBIN:

4 Q I'm showing you what's been marked as Kodack
5 2 and it'll be Herbst 3. Do you recognize that
6 document?

7 A A little bit.

8 Q What is it?

9 A It's just a process we go through when they
10 come in from being out.

11 Q If you could take a look at page 1-4 at the
12 bottom.

13 MR. KEATING: What are we Bate stamps at?

14 MS. TOBIN: Bates CONFID-DEF-4.

15 BY MS. TOBIN:

16 Q At the bottom there's a section labeled B,
17 parole violators. And it says the Pennsylvania Board
18 of Probation and Parole District Office will contact
19 the facility to notify staff that they will be
20 returning a parole violator.

21 Did they notify you as part of the records
22 office that they were returning a parole violator?

23 A Yes.

24 Q How did they do that?

25 A They called up and said we're returning

1 somebody.

2 Q Would you be the one who took the information
3 on the phone?

4 A Depending on who took the call.

5 Q And what would be your next step after the
6 parole office called up and said they're returning
7 somebody?

8 A We would let know whoever was doing the
9 inside work that day that they were coming.

10 Q Okay. And then if you move the next -- move
11 to the next page, 1-5. At the top there's a section
12 one. The records office shall collect the appropriate
13 documents relating to the reception including PB-141,
14 warrant to commit and detain; PBPP-257N, notice of
15 charges and hearing. And then it gets through four
16 other documents.

17 As a records specialist two for the
18 inmates -- let me back up. If somebody came back
19 after being out on parole and you had had them prior,
20 would you get them in your caseload again?

21 A Yeah. Because their number would stay the
22 same.

23 Q Okay. And so as a records specialist two did
24 you collect these documents, these parole documents
25 for people who came back from parole?

1 A Whoever went inside collected them, yes. I
2 didn't necessarily go in and check him in. Somebody
3 was assigned that day to go inside to do the inside
4 work. They made sure they had all the paperwork with
5 them.

6 Q So someone from records was assigned --

7 A Right.

8 Q -- to do that?

9 MR. KEATING: You have to let her finish the
10 question.

11 THE WITNESS: I'm sorry.

12 BY MS. TOBIN:

13 Q So when you say somebody was assigned to go
14 inside, you're referring to going into some kind of
15 intake unit?

16 A Yes.

17 Q Is that what it's called?

18 A Intake, yes.

19 Q And then item B, review the confinement
20 documents to verify their authenticity and that the
21 inmate is properly being returned to the Department.

22 Would that review also be done by the person
23 who was assigned that day to go to intake, that review
24 of confinement documents?

25 A Yes.

1 Q So that would happen right when the inmate
2 was coming back, not when you got his file back?

3 A If he didn't have the right paperwork, we
4 couldn't take him.

5 Q But if somebody who was -- I guess my -- what
6 I'm trying to understand is if he was an inmate who
7 was on your caseload, were you responsible for making
8 sure he had the right paperwork or was that just a
9 rotating duty, anybody who was assigned to do the
10 intake stuff that day? You didn't have to go to^--

11 A I didn't have to go to intake, no.

12 Q Okay. And then this next part, verifying the
13 commitment documents. A DC-151A shall be issued to
14 the delivering authority. Was that also something
15 that happened at intake?

16 A I don't remember.

17 Q And the reception interview?

18 MR. KEATING: What? What's your question?

19 BY MS. TOBIN:

20 Q The reception interview would also happen at
21 intake?

22 MR. KEATING: Well, you said also happen.
23 She said she didn't remember if the other thing
24 happened at intake or not.

25 BY MS. TOBIN:

1 Q Did you ever do the job of going to intake
2 and receiving a parole violator and doing these tasks?

3 A I've done it. I just don't remember
4 everything I had to do.

5 Q Okay. When the person went through the
6 intake process after coming back, the parole violator,
7 and they were received at intake, what would be
8 your -- and you weren't the person doing that process.
9 You were still in the records office. What would be
10 your next task with regard to that file or that parole
11 violator?

12 They just came back that day, somebody else
13 is doing all the parole paperwork and checking the
14 commitment orders. What would be your next task as
15 the person who managed that inmate's file?

16 A Do a new 16E on them.

17 Q The DC-16E?

18 A The 16E, yeah. Sentencing order.

19 Q Is that also called the PVP-16E?

20 A Yeah.

21 Q It's the same thing?

22 A Right.

23 Q Okay. And what would you do in order to do
24 the new DC-16E? What does that mean?

25 A Just go back into the computer and put his

1 return date in and --

2 MR. KEATING: And what?

3 THE WITNESS: If he had any backtime, put it
4 in. But that all came from parole what he got, you
5 know.

6 BY MS. TOBIN:

7 Q How much information did you have at the time
8 that he came back? So if he was just returned,
9 brought in by the parole agent that day, what
10 information did you have to put into the DC-16E?

11 A Oh, God. I don't remember everything they^--

12 MR. KEATING: Everything they what? I'm just
13 asking you to finish your sentences because I'm afraid
14 we're going to have these trailing off all the time.

15 THE WITNESS: Yeah. I don't remember
16 everything we had to put into them. I just remember
17 it had to be done. But I don't remember everything
18 that went into it.

19 MR. KEATING: Okay. Don't get frustrated.
20 We just want to make sure the record's fairly clean.

21 THE WITNESS: Sorry.

22 MR. KEATING: That's okay. That's okay.

23 BY MS. TOBIN:

24 Q I'm going to show you a DC-16E and maybe this
25 will help with the questions, my questions and just to

1 get a sense of what goes into this form.

2 (Whereupon, a document was produced and
3 marked as Herbst Exhibit No. 4 for identification.)

4 BY MS. TOBIN:

5 Q So I'm showing you what's been previously
6 marked as Kodack 24. This will be Herbst 4. And
7 unfortunately, I didn't make another copy. I
8 apologize for that.

9 Could you take a look? This is a
10 multidocument exhibit. If you could take a look at
11 the documents and see if you find a DC-16E. There
12 should be one in there.

13 MR. KEATING: Is that it there?

14 THE WITNESS: Yeah, that's it there.

15 BY MS. TOBIN:

16 Q Okay. So you're looking at --

17 MR. KEATING: Bate stamp DEF-000883.

18 BY MS. TOBIN:

19 Q Okay. So is this the DC-16E that you just
20 referred to, the form you just referred to?

21 A Yes.

22 Q Okay. From looking at this 16E, are you able
23 to tell whether it is one that would be filled out
24 when a parole violator came back?

25 A Yeah. Yes.

1 Q And how do you know that?

2 A It says new maximum PV right on the
3 controlling maximum date.

4 Q On the first -- on --

5 A On the first page, yeah.

6 Q Okay. And so when you had a parole violator
7 come back to Coal Township, what would be your task
8 when you said you fill out a DC-16E? This is a form
9 in the computer, right?

10 A Yes.

11 Q So what would you -- walk me through the
12 steps. What would you do to fill out the new DC-16E?

13 A I don't remember all the steps to it. If
14 they had time -- backtime they had to put in, we put
15 it in. Whatever parole sent in. If there was
16 something that he needed to go back and do.

17 Q You referred to backtime. What is backtime?

18 A Whatever they owe the state from a sentence
19 from when they went out. They owe the state time.
20 That's their backtime.

21 Q So it's what they owe on their original
22 sentence?

23 A Yes.

24 Q And you -- where would you get that
25 information?

1 A That came from parole.

2 Q And when -- did parole always send it to
3 you -- well, do you know when parole would send it to
4 you for each person?

5 A I don't remember when they sent it, but it
6 came from parole.

7 Q And where would you put -- what field would
8 you put the backtime in?

9 A Oh, God. On the second page.

10 Q Is that Bates 884?

11 A Yeah.

12 Q So on this page there's a column that says
13 computation one?

14 A Um-hum.

15 Q Let's just -- what does indictments included
16 mean at the top?

17 A All the sentences he has on the front, on the
18 first page.

19 Q And those are his state sentences?

20 A Yes.

21 Q And then effective date. What's that?

22 A That's when he starts it.

23 Q And then expiration of minimum?

24 A That's his min date. That's the minimum he
25 got in time.

1 Q Is that the date on which he could first be
2 paroled?

3 A Yes.

4 Q And then the maximum date?

5 A That's when he completed his sentence.

6 Q And up at the very top, commitment credit.
7 What does that mean?

8 A If he put in any time before he came in, they
9 get credit for county time.

10 Q What do you mean before he came in?

11 A Before he came to the state.

12 Q So if he was serving in a county jail?

13 A He got time for it.

14 Q Okay. Custody for return PV. What is that?

15 A That's when he come in -- back in.

16 Q And so on this sheet that section is blank.
17 Would you be the person who would input that? How
18 would that get filled in?

19 A We would fill that in.

20 Q And where would you get that information?

21 A From when he was picked up with the parole
22 board.

23 Q Would it be on a document?

24 A They should be on the paperwork that they
25 brought in with him.

1 Q Is that custody for return PV is that the
2 date that he arrives back at Coal Township?

3 A That I don't remember.

4 Q What is delinquent time?

5 A I don't remember delinquent time.

6 Q Would that be something the parole board
7 would give you?

8 A I don't remember where that came from.

9 Q And then backtime credit. What's backtime
10 credit?

11 A I don't know either.

12 Q What about backtime owed?

13 A Don't remember that either.

14 Q Are those the numbers that you said earlier
15 the parole board gives you?

16 A Yes.

17 Q So you would just type those in when you got
18 that information?

19 A Yes.

20 Q What form -- how would that information come
21 to you from the parole board?

22 A I don't remember how.

23 Q Would they call you? Would they send you a
24 document?

25 A I don't remember how we got it.

1 Q New maximum PV. What is that?

2 A That would be his new max date.

3 Q And is that something that you would type in
4 or how would that be filled in here?

5 A That would just automatically come up with
6 what we typed in before that.

7 Q So that was a calculation that the computer
8 did or did --

9 A No. The computer did it.

10 Q And it was based on which --

11 MR. KEATING: You said is that a calculation
12 the computer did and you said no, the computer would
13 do it.

14 BY MS. TOBIN:

15 Q So is it a yes?

16 A Yes.

17 MR. KEATING: Yes, the computer?

18 MS. TOBIN: Thank you.

19 THE WITNESS: Sorry.

20 MR. KEATING: That's okay.

21 BY MS. TOBIN:

22 Q So the computer would do that based on
23 other^--

24 A The dates we -- finish.

25 Q The other dates that you would put in?

1 A Right.

2 Q Okay. When the computer did that and put --
3 would that be a date would be in that field, new
4 maximum PV?

5 A Yes.

6 Q Did you double-check that date against his
7 previous max date? Did you do a calculation on your
8 own? When the computer spit out whatever date it
9 spits out, did you then compare that to information
10 that you had in your file already?

11 A No.

12 Q Did you double-check any of the dates that
13 the parole department sent you backtime credit,
14 backtime owed?

15 A No.

16 Q Why not?

17 A That was their date. They would have to
18 be -- they would be the ones that would give us the
19 dates and that's what we put in. So if they wanted to
20 check anything on that, it would have to go through
21 parole.

22 Q But his max date would be changed in the DOC
23 system?

24 A Yes.

25 Q And then sentence computation date. What is

1 that?

2 A That's when it was done.

3 Q When what was done?

4 A When the 16E was done.

5 Q Oh, the date that this form was filled out?

6 A Yeah.

7 Q Okay. Is this the date that the form was
8 initially filled out or the -- I'm confused.

9 A I don't know. It is from --

10 MR. KEATING: Wait a minute. She didn't ask
11 a question.

12 BY MS. TOBIN:

13 Q So this 2/12/1996 on this document, sentence
14 computation date, is that the date that -- and we're
15 talking about Mr. Chappelle, Kevin Jessup's DC-16E
16 here. Is that the date that his sentence was first
17 computed?

18 A No. That should be the date that it was
19 done. This one here. That's the date for this one.

20 Q For this computation?

21 MR. KEATING: For this form?

22 THE WITNESS: For that form there, yeah.

23 BY MS. TOBIN:

24 Q And then I'm looking down at the bottom it
25 says version one closed 10/16/2002. What does that

1 refer to at the very bottom of the sheet?

2 A It's the date -- that's the original date.
3 This is the date that this version was done. I got^--
4 sorry. I got it backwards, but yeah. That's the
5 original up there. This is the date that this was
6 done.

7 Q Okay. So the sentence computation date is
8 the date that his sentence was first computed?

9 A The original.

10 Q Okay. And then down right below that basis
11 for computation PVP. What does PVP mean?

12 A Parole violator pending.

13 Q And what does that mean?

14 A It means he's back in for parole and the
15 status is pending.

16 Q And you're waiting for parole to tell you
17 what his status will be after pending?

18 A Yes.

19 Q What are the possibilities of statuses? What
20 are the possibilities of what they'll tell you?

21 A I don't remember everything. I don't know.
22 Could be anything.

23 Q And then below that total sentence 6 years to
24 12 years; is that what that means, 6Y to 12Y?

25 A Yes.

1 Q Where does that come from?

2 A The sentencing.

3 Q Does that relate to the very top -- not the
4 very top but the indictments included?

5 A Yes.

6 Q So that's the total amount of time that he's
7 supposed to serve?

8 A Right.

9 Q And his status is pending?

10 A Yes.

11 Q How long can someone's status be pending?

12 A I don't know.

13 Q Do you remember waiting a week to hear from
14 parole, a month?

15 A I don't remember.

16 Q And is it the case that whenever parole sent
17 you the information whether it was a week, a month or
18 any length of time, that's when you would do the 16E?
19 That's what would trigger it?

20 A I don't remember that either.

21 Q You would only --

22 MR. KEATING: I don't understand that
23 question. If she understands the question, then
24 that's fine.

25 BY MS. TOBIN:

1 Q When would you do the DC-16E?

2 A When he came in.

3 Q And would you do it again later when parole
4 would send you follow-up information?

5 A We'd do a new one, yes.

6 Q Would you do a DC-16E any other time or only
7 when the inmate came back and then when you got new
8 information from parole?

9 A When we got new information from parole.

10 Q Would you also do a new 16E if you got new
11 information from a court?

12 A Yes.

13 Q Would you do a new 16E in any other case or
14 are those the -- any other times you would do a 16E?

15 A If we had to add a detainer. It only gets
16 done when something's changed on there. If any
17 information is changed, then a new one is done.

18 Q Is it normally done soon after the new
19 information comes in?

20 A Yes.

21 Q Is there a time frame for doing it?

22 A I don't remember. I don't think there was.

23 Q But you wouldn't just go in and do a new 16E
24 if there hadn't been any new information coming in?

25 A No.

1 Q And on the next page which is Bates 885 at
2 the bottom, in this top section number four, would you
3 be responsible for entering information about the
4 detainers?

5 A Um-hum. Yes.

6 Q And where would you get that information?

7 A We'd have to have a sealed document to put
8 that in there.

9 Q What kind of document?

10 A A thing, detainer that says he has to do time
11 with them.

12 Q Would it be a warrant or an order?

13 MR. KEATING: It would be a detainer.

14 BY MS. TOBIN:

15 Q Did you input federal detainers as well as
16 state detainers?

17 A Yes.

18 Q Did you have to have the judgment and
19 commitment in order to put a federal detainer in?

20 A No. We just put it in as a detainer.

21 Q You just had to have a piece of paper?

22 A Paper that says they want him.

23 Q That just says detainer?

24 A Yes.

25 Q Did you input the fines, costs, and

1 restitution as well?

2 A No. That was done -- when I worked here,
3 that was done at central.

4 Q Okay. Did it change? Was that a change from
5 before? Do you know? Do you know whether that used
6 to be done at the institution?

7 A Before they started central, yeah.

8 Q But you didn't do that while you were here?

9 A I didn't do that while I was here, no.

10 Q And then the board of pardon's information,
11 were you responsible for putting that in?

12 A I never did it.

13 MR. KEATING: Did you ever know anyone that
14 got a pardon?

15 THE WITNESS: No.

16 BY MS. TOBIN:

17 Q So going back to the first page of this
18 document which is Bates 883 at the bottom. Under
19 non-incarcerated offenses. The box that says
20 non-incarcerated offenses. What does that mean,
21 non-incarcerated offenses?

22 A That means he committed something but he
23 wasn't accused of it. Didn't get any time on it.

24 Q As a records specialist would you be the
25 person who typed in the information there in that box?

1 A That came with his paperwork, yeah. Not here
2 it didn't. When I worked here, it came -- central got
3 it.

4 Q So that would have been there when you were
5 here at the institution?

6 A Yes.

7 Q And then summary or remarks on -- do you have
8 a question?

9 MR. KEATING: Yeah. So is the answer to that
10 you would not personally type that in? Would it
11 already be there?

12 THE WITNESS: It would already be there on
13 the ones that I got, yes.

14 MR. KEATING: Okay. Thank you.

15 BY MS. TOBIN:

16 Q Same question for the box right below that.
17 Summary or remarks on sentence. In this case it says
18 conversion from 16D to 16E to make inmate PVP and add
19 federal detainer. Is that a comment that you would
20 have written in here at the institution?

21 A Yes. That's the reason why the 16E was being
22 made.

23 Q So did you write that? Did you type that
24 note in?

25 A I didn't, no. Whoever did the 16E put it in

1 there.

2 Q Here at the institution though?

3 A Yes.

4 Q Okay. And that box, that section is the
5 reason that this form was generated?

6 A Yes.

7 Q Does that always have to be -- does a reason
8 always have to be given for why the 16E is generated?

9 A Yes.

10 Q And section two, sentence summary. Here on
11 this form it just has two sentences. What's an OTN in
12 section two?

13 A That's the number on the court case.

14 Q And in this case there's a sentence of five
15 years minimum, ten years maximum and one year minimum,
16 two years maximum.

17 What would you do with that information
18 pretending that he's not coming back as a parole
19 violation but you just are getting that information,
20 would you type that into the computer system from the
21 court documents?

22 A Yes.

23 Q And then would you calculate what the
24 controlling max and controlling min are or would the
25 computer spit that out?

1 A The computer spits it out.

2 Q So in this case what would be the controlling
3 min and the controlling max based on section two?

4 A Six to twelve.

5 Q And is that on page 884 where the total
6 sentence comes out?

7 A Um-hum.

8 Q So that --

9 MR. KEATING: That was a yes?

10 THE WITNESS: Yes.

11 BY MS. TOBIN:

12 Q So that total sentence box is automatically
13 generated by the computer?

14 A Yes.

15 Q Okay. If this inmate -- if Kevin Jessup had
16 had more than two sentences, would the computer
17 automatically make space for more sentences on the
18 16E?

19 A Yes.

20 Q But those would have to be manually typed in
21 every time he got a new sentence?

22 A Yes.

23 MR. KEATING: OTN is offense tracking number.

24 BY MS. TOBIN:

25 Q Okay. So the next set of documents within

1 this exhibit starts with 886 at the bottom. If you
2 could take a look at that one. And all the way to
3 888. Those three.

4 So this one at the bottom says version two
5 closed 12/19/2003.

6 MR. KEATING: That's 886?

7 MS. TOBIN: Yes.

8 BY MS. TOBIN:

9 Q And then under summary or remarks on sentence
10 it says version two created due to inmate being
11 recommitted as a technical convicted parole violator.
12 Sentence recomputed in accordance with PBPP Form 39
13 dated 12/02/03.

14 Is that remark -- that remark is something
15 someone here at the institution would have put in?

16 A Yes.

17 Q The reason why this document was generated?

18 A Yes.

19 Q And so the person would have had in their
20 hand the Form 39 dated 12/02/03?

21 A Yeah.

22 Q And do you remember working with those forms
23 from parole, the parole board?

24 A No.

25 Q Have you ever input information from a parole

1 board form?

2 A Yeah.

3 Q What is a technical convicted parole
4 violator?

5 A I don't remember what they are.

6 Q How did Mr. Jessup's sentence change on this
7 DC-16E? What was the change? Can you figure that out
8 based on what's on the forms?

9 A He added backtime.

10 Q You're looking at Bates number 887?

11 A Yeah.

12 Q So backtime -- are you looking at the
13 backtime credit section? When you say he added
14 backtime.

15 A There's backtime credit there and backtime
16 owed.

17 Q And the backtime credit says 4M 24D?

18 A Yes.

19 Q And that information would have come from the
20 parole board?

21 A Yes.

22 Q Would that information have come on the PB
23 Form 39? Where would that 4M 24D come from?

24 A From the parole board form. I don't remember
25 seeing. I don't remember them.

1 MR. KEATING: I think the question is do you
2 know if that would have come from a Form 39 or not?

3 THE WITNESS: No. I don't remember if that's
4 where it came from.

5 MR. KEATING: Okay.

6 BY MS. TOBIN:

7 Q Do you remember whether that information
8 would have to be typed in by a records specialist?

9 A Yes.

10 Q So someone would type in on the computer 4M
11 24D?

12 A (Witness indicated in the affirmative.)

13 Q And then backtime owed 5Y 4M 23D. Someone
14 would get that information and type it into the
15 computer?

16 MR. KEATING: Five years, four months,
17 twenty-three days?

18 THE WITNESS: Yeah. I don't remember.

19 BY MS. TOBIN:

20 Q You don't remember whether the records
21 specialist would type that into the DC-16 form on the
22 computer?

23 A They would type it in. Yeah.

24 Q And now the next date -- the next line, new
25 maximum PV. Is that date, that 2/16/2008, is that

1 automatically generated by the computer?

2 A Yes.

3 Q So that's not something you would type in?

4 A No.

5 Q And then the next one, sentence computation
6 date. We went over this a little before. 12/19/2003.
7 Is that the date that this computation was done?

8 A Yeah. Yes.

9 MR. KEATING: You said the sentence
10 computation in the box or are you saying the closed?

11 THE WITNESS: It's the same as down here so
12 it's the same.

13 BY MS. TOBIN:

14 Q Okay. So going back to the -- it says
15 computation one at the top.

16 MR. KEATING: What number?

17 MS. TOBIN: On Bates 887.

18 MR. KEATING: Okay.

19 MS. TOBIN: The column says computation one.

20 MR. KEATING: Yes.

21 BY MS. TOBIN:

22 Q If you look at Bates 884, the DC-16E we
23 looked at before, that also says computation one. Is
24 there a reason that there would be two computation
25 ones for this one inmate?

1 A I don't remember.

2 Q I'll ask another question about that later.
3 Is it the case that every time the sentence is
4 recomputed, there's another column, another
5 computation on this form?

6 A I don't remember that.

7 Q If you'll -- okay. If you'll look at Bates
8 890 which is a few pages further into the stack. The
9 first column on that page says computation two. What
10 I'm trying to understand is is all of the history of
11 the computations maintained even if a new computation
12 is done or is it the case that it's just a new form
13 every time? There seem to be multiple columns here so
14 that there could be a series.

15 MR. KEATING: Okay. You asked one question,
16 then you started asking more and following up. Why
17 don't you just -- what is the question exactly?

18 BY MS. TOBIN:

19 Q The question is every time a new computation
20 is done, does that mean that a new DC-16E is done and
21 that that information is only kept on that new DC-16E?

22 A I don't know. I don't remember.

23 Q Okay. So going back to 887. Bates 887. Ms.
24 Herbst, the sentence computation date we just
25 established was the date that this computation was

1 done. Basis for computation says TCV. Is that a
2 field that the records specialist would type in, TCV?

3 A Yes.

4 Q Okay. And then total sentence is that a
5 field that would -- that would automatically be
6 generated by the computer?

7 A Yes.

8 Q And that's still tied to the top row
9 indictments included?

10 A Yes.

11 Q This one says status active and the earlier
12 one said status pending. What does active mean?

13 MR. KEATING: When you say the earlier one,
14 you're making reference to 898?

15 MS. TOBIN: I'm making reference to 884.

16 BY MS. TOBIN:

17 Q What does active mean when compared to
18 pending?

19 A That means he's serving this one. This is
20 the official one. That's just pending. He come in
21 here and this is what they did. This is his active
22 sentence.

23 MR. KEATING: She's pointing to number 887
24 when she's saying that.

25 THE WITNESS: Yeah.

1 BY MS. TOBIN:

2 Q Okay. When the new maximum PV on 887 is
3 generated, that's a date that's generated by the
4 computer?

5 A Yeah.

6 Q Based on the backtime credit, backtime owed?

7 A Yes.

8 Q If that new maximum PV conflicts or is
9 different than his old maximum or if something doesn't
10 look right about it, what would you do?

11 MR. KEATING: Can you --

12 BY MS. TOBIN:

13 Q Yeah. If something about that new maximum PV
14 date that's automatically generated by the computer --

15 MR. KEATING: On 887?

16 MS. TOBIN: Yeah.

17 BY MS. TOBIN:

18 Q In this one it's 2/16/2008. Do you do a
19 double-check of that date to make sure that it's
20 correct?

21 A I don't think we did. The computer generated
22 it. If there's a question with it, they go back to
23 parole.

24 Q And if the new maximum PV is -- is that the
25 amount of time he had left to serve on his sentence

1 when he had first been paroled?

2 A That plus whatever time they -- if they added
3 any new time in to it.

4 Q If who added any new time?

5 A Parole did. I'm confused.

6 Q So what I'm trying to get at is or ask you
7 he's got a new max date now. In the first -- in the
8 first sheet his max date on page 884 was 1/26/2007.
9 This max date on 887 is 2/16/2008. So it added time?

10 A Right.

11 Q As a records specialist do you double-check
12 to make sure that it didn't add too much time?

13 A No. Because the computer automatically did
14 it.

15 Q If there was a question about whether it
16 added too much time, if somebody had a question, hey,
17 we think this is wrong, what would you do?

18 MR. KEATING: If someone had a question about
19 it?

20 BY MS. TOBIN:

21 Q If someone in records had a question about it
22 or if the inmate had a question about it, what would
23 you do?

24 A Check with parole to make sure that's what
25 was in there. They're the ones that send what time.

1 And when they recompute it, everything gets sent out
2 to them.

3 Q So you could call parole and double-check on
4 whether this was accurate?

5 A We could.

6 Q And have you done that in the past?

7 A I don't remember doing that, no.

8 Q Is there any directive or policy that says
9 that you shouldn't double-check this date?

10 A I don't know.

11 Q What is the reason that you don't
12 double-check it?

13 MR. KEATING: No. No. No. She says she
14 didn't know if there was a rule or regulation.

15 BY MS. TOBIN:

16 Q But I'm asking you a new question. What's
17 the reason that you don't double-check the
18 calculations of new max PV?

19 A That's what the computer sent out. We go by
20 what the computer said. If that's how it computed it
21 up.

22 Q And what is the -- who trains you how to do
23 that? How did you learn how to just go by what the
24 computer said?

25 A That's how I was trained. You just put it in

1 the way it is and that's how it came out.

2 Q Are you -- okay. Turning further down in the
3 pile of documents if you look at starting with 894.
4 Actually, sorry. Bates 892. So at the bottom this
5 one is version four, closed 4/21/2009. If you'll just
6 take a look at the three pages that are 892, 893, and
7 894. So why was this DC-16E completed?

8 A The version four is why it was created to
9 show PVP status. In other words, he was brought back
10 and we did a new 16E on him.

11 Q And you got that PVP status from the parole
12 board?

13 A Yes.

14 Q And what was the -- and did you create this
15 form?

16 A Yeah, I did. Yes.

17 MR. KEATING: You mean her personally?

18 MS. TOBIN: Yes.

19 THE WITNESS: Yeah. I typed it in, yeah.

20 BY MS. TOBIN:

21 Q So going to the next page, 893. What was
22 new^-- did you type anything in on computation three,
23 that column?

24 A No, I didn't.

25 Q So what did you -- when you created this

1 form, what data entry did you do? What did you type
2 in when you created this form?

3 A Just the fact that it was created because he
4 was a PVP status.

5 MR. KEATING: At which point are we talking
6 about? 893 or 892?

7 MS. TOBIN: I'm speaking of the three
8 documents as one DC-16E form.

9 MR. KEATING: Okay.

10 BY MS. TOBIN:

11 Q So the only thing you typed in was in the
12 remarks section on page 892 version four created to
13 show PVP status?

14 A That's all I remember doing. I don't even
15 remember this.

16 Q And then -- and there's no new sentences
17 added?

18 A No.

19 Q Is that correct? Okay. Still the same two
20 sentences, still the same 6 to 12?

21 A Yes.

22 Q Under reception date, is that the date he was
23 brought back to Coal Township?

24 MR. KEATING: Where are we?

25 MS. TOBIN: On page 892.

1 THE WITNESS: Yes.

2 BY MS. TOBIN:

3 Q So that's the new reception date, not his
4 initial reception date?

5 A Yes.

6 Q And then controlling minimum 1/26/2001,
7 controlling maximum 1/26/2007. Those are both
8 automatically generated by the computer still?

9 A Yes.

10 Q Okay. On version -- on the remarks section
11 it says version three created due to board action
12 dated 6/25/2007 to remove TCV status and reflect
13 inmate is now serving as a PVP. If somebody comes
14 back and they're a PVP, that's parole violator
15 pending, right?

16 A Yes.

17 Q And then they go from pending to active and
18 that means that the parole board has then made them a
19 technical parole violator or a convicted parole
20 violator; is that what that means?

21 A Yes.

22 Q How then can they go back to a PVP status?

23 A If they're paroled and come back.

24 Q If they're paroled again and come back again?

25 A Um-hum.

1 Q Is there any other way they could be -- could
2 come back again -- their status would change back to
3 PVP?

4 A I don't know.

5 Q And that's something that the parole board
6 tells you and you just type it in?

7 A Yes.

8 Q So did anything change on this DC-16E, this
9 version four? Did anything change about Mr. Jessup's
10 max date?

11 A From the previous ones?

12 Q Right.

13 A The max dates are the same on this one but on
14 that other one that they did it was different.

15 Q So looking back at version two which is Bates
16 886, 887, and 888. So on Bates 887, what's the new
17 maximum PV?

18 A 12/16/08.

19 Q Is it 2/16/08?

20 A No.

21 Q Or 12?

22 MR. KEATING: It's 2/16.

23 THE WITNESS: Okay. All right.

24 BY MS. TOBIN:

25 Q So that was as of December 19th, 2003, his

1 new maximum was 2/16/08. And then going forward to
2 version four which was dated April 21st, 2009, his new
3 max PV it looks like that section is blank. Why would
4 that be blank? Where did that new max PV number go?

5 A That went. He didn't have -- the new time
6 wasn't put in this one here.

7 Q But where did that 2/16/2008 date go to
8 because it was calculated back in version two?

9 A I don't know where it went.

10 Q That was his -- that was his max date as of
11 December 19th of '03, right?

12 A Right.

13 Q And why would this -- why would it not be on
14 this new form?

15 A It goes back to its old one before they put
16 the time in and he owes -- this is pending status
17 here.

18 Q So there's no new information added?

19 A Right.

20 Q Okay. So then go to the next version which
21 is version five which was created on 5/1/2009. And
22 did you create this version?

23 A No, ma'am, I did not.

24 Q If you take a look at page 897, it indicates
25 last modified by Deborah Herbst.

1 A Right.

2 Q So you didn't input this version five?

3 A No. I retired 5/29. 5/28. I would have
4 been gone. This was done -- this one I did.

5 Q You did version five?

6 A This is -- yeah, I did five. But I didn't do
7 the next one.

8 Q Yeah. That's what I was asking about.

9 MR. KEATING: When you say five, we're
10 talking about Bates stamp 897; is that correct?

11 MS. TOBIN: Yes. Version five.

12 BY MS. TOBIN:

13 Q So on version five, if you look at actually
14 Bates 896, there's backtime credit of 147 days,
15 backtime owed 1,971 days. So you input those two
16 numbers into computation four?

17 A Um-hum.

18 Q And then the new max PV the computer
19 generated the date 9/6/2014?

20 A Yes.

21 Q And the sentence computation date is
22 4/28/2009. Does that mean the date that you did this
23 data entry, the date that you did the computation?

24 A Yes.

25 Q Is there a reason there's a difference

1 between the version five closed date and the sentence
2 computation date?

3 A That would have been when Michelle signed it
4 off.

5 Q So it's closed when she reviews your work?

6 A Right.

7 Q Okay. And the basis for computation is TCV.
8 And that means technical -- what does that mean?

9 A I don't remember what that stood for but --

10 Q It's a parole status?

11 A It's a parole status, yes.

12 Q Okay. And then total sentence 6 years to 12
13 years. That's computer generated?

14 A Yes.

15 Q Okay. And status active. Is that something
16 that you also typed in?

17 A No.

18 Q That automatically the computer generated
19 that?

20 A Right.

21 Q When you put in the backtime and it came up
22 with a new maximum PV date of 9/6/2014, did that cause
23 any red flags for you that that date was his new max
24 date?

25 A No.

1 Q It's five years after -- approximately five
2 years after the date that that -- that you did the
3 computation. So it added that much time. That didn't
4 cause any --

5 MR. KEATING: The answer was no, it did not
6 cause a red flag the new date. Asked and answered.

7 BY MS. TOBIN:

8 Q Did you discuss that new date with anybody in
9 records?

10 A No.

11 Q Did you discuss that new date with anyone in
12 parole?

13 A No.

14 Q Did you double-check any of the calculations
15 for the backtime credit or contact parole about the
16 backtime credit?

17 A No.

18 Q Or the backtime owed?

19 A No.

20 Q So when you look at the total sentence of 6
21 years to 12 years, do you double-check to see if
22 that's correct after the computer spits that out?

23 A No. Because it's over on the other side.

24 Q Meaning it's on?

25 A It's on the front.

1 Q It's on the sentence summary?

2 A Right.

3 Q Do you compare the information under the
4 sentence summary section with the total sentence
5 section? Do you compare those two?

6 A Only when it's initially done.

7 Q But if you needed to find out what went into
8 that 6 years to 12 years, you could?

9 A I guess so.

10 Q You could look on the sentence summary.
11 Could you look also in the DC-15 to see what the
12 sentences were?

13 A Yes.

14 Q Have you ever done that?

15 A No.

16 Q Do you remember speaking with Ms. Kodack,
17 with Michelle Kodack about Mr. Jessup's max dates?

18 A No.

19 Q Did you ever speak with any other records
20 staff about his max dates?

21 A No.

22 Q Do you recall ever speaking with anyone in
23 the institutional parole office about his max date or
24 his sentences?

25 A No.

1 Q Or his parole status?

2 A No.

3 Q If you had had any conversations about his
4 sentences or parole status, would those conversations
5 be noted in the file?

6 A Probably.

7 Q Under the remarks section of Bates 892, it
8 says version four created to show -- pardon me. I
9 looked at the wrong document. I apologize. It's
10 actually 895 that I'd like you to look at.

11 Under the remarks section of Bates 895, it
12 says version five created to show TCV status according
13 to PBPP. Would that status have been on a parole
14 board form that you got? Is that where you would have
15 gotten that TCV status?

16 A Yes.

17 Q Do you know what kind of form?

18 A No. I don't remember what kind it was.

19 Q Are you -- is it your practice to note the
20 forms that you are using to put data on here? For
21 example, on version two it says sentence recomputed in
22 accordance with PBPP Form 39 dated 12/02/2003. Is
23 that something that was a records office practice to
24 put the actual form that caused the DC-16E to change?

25 A Yes.

1 Q Okay. Do you know why there is no reference
2 on version four or five specifically to a specific
3 parole board form?

4 A No.

5 Q And then looking at version six which starts
6 with Bates 898. This one is closed 7/30/2009. And
7 that's after you left, right?

8 A Um-hum.

9 Q In between May 1st of 2009 and July 30th of
10 2009, do you recall taking any other steps or actions
11 related to Mr. Jessup's sentence computations?

12 A Nope.

13 Q So this document --

14 MR. KEATING: What number are we at?

15 MS. TOBIN: Version five.

16 MR. KEATING: What Bate stamp is that?

17 MS. TOBIN: Bates 895.

18 BY MS. TOBIN:

19 Q 895 through 897 would have been the last
20 document you created --

21 A Yes.

22 Q -- related to his sentences? Okay. Is there
23 a procedure that you use for -- did you use the
24 computation manual to learn what to do to update the
25 DC-16E? Did you use a document called a computation

1 manual?

2 A I don't remember. I don't think so.

3 Q Was your training on-the-job training then?

4 A Yes.

5 Q Did you go to any other training besides
6 on-the-job training here at Coal Township on how to do
7 this?

8 A No.

9 MR. KEATING: When you say how to do this.

10 BY MS. TOBIN:

11 Q Sorry. Update the DC-16E. Have you ever
12 filled out a form called a sentence error sheet?

13 A I don't remember if I ever did or not.

14 MR. KEATING: I assume you want this back.
15 Are we done with these?

16 MS. TOBIN: We might go back to them so I
17 will want them to stay out.

18 (Whereupon, a document was produced and
19 marked as Herbst Exhibit No. 5 for identification.)

20 BY MS. TOBIN:

21 Q So I'm showing you Herbst 5. Can you take a
22 look at that document, please? Do you recognize that?

23 A No.

24 Q The copy is very dark but are you able to
25 read the text on the left column?

1 A Yes.

2 Q Have you used any form not necessarily this
3 form but was there a different form for noting
4 sentence computation errors when you were a records
5 specialist?

6 A I don't remember.

7 Q What would you do if you did notice an error?

8 A Go to Michelle.

9 Q And do you know what she would do at that
10 point?

11 MR. KEATING: Objection. Speculation.

12 BY MS. TOBIN:

13 Q If you know. If you know, you can answer it.

14 A No.

15 Q Did you ever notice any sentence computation
16 errors in your cases?

17 A No.

18 Q Do you remember anyone else bringing any
19 sentence computation errors to your attention?

20 A If we did the original ones wrong or when we
21 did the new 16E if there was something wrong with it,
22 Michelle brought it back and we always fixed it.

23 Q So she would catch that and bring it back to
24 you?

25 A Yes.

1 Q Would you then do the correction yourself?

2 A Yeah.

3 Q Do you remember any discussions about
4 sentence computation errors related to Mr. Jessup's
5 case?

6 A No.

7 (Whereupon, a document was produced and
8 marked as Herbst Exhibit No. 6 for identification.)
9 BY MS. TOBIN:

10 Q I'm showing you Herbst 6. It was previously
11 Kodack 9. Do you recognize Herbst 6?

12 A No.

13 Q When you would input information into the
14 computer system about an inmate's sentences, you
15 testified earlier that you would get it from a court
16 order; is that right?

17 A Yeah.

18 Q Would you also sometimes get it from a
19 DC-300B form?

20 A I guess.

21 MR. KEATING: Well, don't guess.

22 BY MS. TOBIN:

23 Q So it isn't looking familiar to you at all?

24 A No.

25 MR. KEATING: She testified to that already.

1 BY MS. TOBIN:

2 Q When you worked at the central office
3 inputting the sentence and detainer information, where
4 did you get the information to do that job?

5 A The court orders were in it.

6 Q So you got them directly from the court
7 orders?

8 A Yeah.

9 Q Were you authorized to put any information in
10 about an inmate's sentence without a court order?

11 A No.

12 Q Why not?

13 A It had to be a signed legal document before
14 we put anything in.

15 Q Did you ever respond to inmate grievances
16 about records information?

17 A No.

18 Q Were you ever consulted by other DOC staff in
19 connection with an inmate grievance about records?

20 A No.

21 MR. KEATING: You have to let her finish the
22 question.

23 (Whereupon, a document was produced and
24 marked as Herbst Exhibit No. 7 for identification.)

25 BY MS. TOBIN:

1 Q I'm showing you what's marked as Herbst 7.
2 If you could read just to yourself the bottom box.
3 How did you first learn what backtime was?

4 MR. KEATING: Objection. That's assuming she
5 knows what backtime is.

6 BY MS. TOBIN:

7 Q Do you know what backtime is?

8 A It's what's owed the state by parole.

9 Q And how did you learn that?

10 A Just being over in the office. They taught
11 me over there.

12 Q Did anyone from the parole board ever give
13 you any training or guidance on their terminology?

14 A No.

15 Q Or on how they come up with their dates?

16 A No.

17 Q And reading on Herbst 7 the definition of
18 backtime there, does that match what your
19 understanding is of what backtime is?

20 A Yes.

21 (Whereupon, a document was produced and
22 marked as Herbst Exhibit No. 8 for identification.)

23 BY MS. TOBIN:

24 Q I'm showing you Herbst 8 which was previously
25 marked as Kodack 10. Do you recognize that document?

1 A It says credit time. This is what he served
2 before he came here.

3 MR. KEATING: The question is do you
4 recognize this document?

5 THE WITNESS: Yes.

6 BY MS. TOBIN:

7 Q And is this the precommitment credit?

8 A Yes.

9 Q And is that information kept also on the
10 DC-16E form in a field?

11 A Yes.

12 Q Where is that kept? Take a look at Bates 886
13 to 888. Is there a place for precommitment credit?
14 If you look at Bates 886, is the precommitment credit
15 listed there under the commitment credit box under
16 sentence structure?

17 A Yeah.

18 Q And this form, Herbst 8, is where that comes
19 from?

20 A Yes.

21 Q And that is typed in onto the DC-16E by the
22 records specialist?

23 A Whoever did the original one. Whether it --
24 I guess at one time it started here but Camp Hill does
25 it.

1 Q Okay. If someone is on parole and they get
2 arrested and they're kept in a county jail until
3 they're -- they come back to Coal Township, how is
4 that credit tracked, the time that they're in county
5 before they come back?

6 A Parole keeps that.

7 Q Is there another form that's generated by
8 parole that's similar to the Herbst 8?

9 A I don't remember if there was or not.

10 Q Do you get that information from parole, the
11 pre-recommitment credit information?

12 A I don't remember.

13 (Whereupon, a document was produced and
14 marked as Herbst Exhibit No. 9-A for identification.)

15 BY MS. TOBIN:

16 Q I'm showing you Herbst 9. Do you recognize
17 that document?

18 A Yes.

19 Q What is it?

20 A It's a checkup we did on a case he had
21 pending off of JNet.

22 Q And what's the reason that this document is
23 filled out?

24 A 4/4/03? Must have had a wrong date on it.

25 MR. KEATING: You have to speak up so the

1 stenographer can hear you.

2 THE WITNESS: We were doing a checkup for
3 when they were going to release him again to make sure
4 he wasn't sentenced on this.

5 BY MS. TOBIN:

6 Q So this -- why did you say that you think you
7 did the wrong date on it?

8 A Because I wasn't here in '03.

9 Q And that's your signature at the bottom?

10 A Yes.

11 Q In the text of -- or the middle part of the
12 form, what do those fields mean? What is that
13 information?

14 A He was arrested in '01 with charges. There's
15 a court date there and the information it was nolle
16 processed.

17 Q And what does that mean? What did you say
18 that information is?

19 A Nolle processed.

20 Q And what does that mean?

21 A He wasn't charged on it.

22 Q So does that mean that the state authorities
23 chose not to prosecute him on those charges?

24 A Philadelphia Police.

25 Q Okay.

1 MR. KEATING: Excuse me. Can we go off the
2 record for a second?

3 (Whereupon, a discussion was held off the
4 record.)

5 BY MS. TOBIN:

6 Q So what is the reason that you would have
7 filled out this form? Why did you fill out this form?

8 A To make sure he wasn't wanted by the
9 Philadelphia Police for anything.

10 Q And it says person contacted JNet. What's
11 JNet?

12 A It's a thing on the computer we can go check
13 and see if they have any outstanding cases. It's
14 almost like the CLEAN but it's the state one.

15 Q So if he had been wanted, what would you have
16 done then?

17 A We'd have called -- we'd have called down to
18 the court system and check on this OTN number.

19 Q Okay. So he had initially been charged with
20 a state crime but then not prosecuted; is that what
21 this means?

22 A Yes.

23 Q Okay.

24 (Whereupon, a document was produced and
25 marked as Herbst Exhibit No. 9-B for identification.)

1 BY MS. TOBIN:

2 Q I'm showing you Herbst 9. Do you recognize
3 that document?

4 A It's a body receipt.

5 Q And is that your signature at the bottom?

6 A Yes.

7 Q Does this mean that on this day you were the
8 person from records assigned to do the intake process?

9 A Yes.

10 Q And it's just a coincidence that you were
11 doing intake process on the person assigned to your
12 caseload?

13 A Yes.

14 Q Okay. And then right above your signature
15 the section that says other. The X is marked other.
16 What does TT slash return mean?

17 A I'm not sure I remember what the TT stood
18 for. He was just being returned from -- where did he
19 come from? He's being returned from Graterford when
20 he went out for court.

21 Q Okay. And this document shows that you now
22 have his body and you give the receipt to whoever
23 delivered him to you?

24 A Yes.

25 (Whereupon, a document was produced and

1 marked as Herbst Exhibit No. 10 for identification.)

2 BY MS. TOBIN:

3 Q I'm showing you what's been marked as Kodack
4 28. It will be Herbst 10. Do you recognize that
5 document?

6 A No.

7 Q Not something you would use in your job as a
8 records specialist?

9 A Not every day, no.

10 Q Had you ever used it on occasion?

11 A I don't remember it, no.

12 Q Looking at the content of the document, do
13 any of the -- do these fields, sentence status and
14 parole status, what do those mean to you?

15 MR. KEATING: I think she testified she
16 doesn't recognize the document.

17 BY MS. TOBIN:

18 Q Does the information that's on this document,
19 whether or not you recognize it or not, recognize the
20 document itself, what does actively serving mean?

21 A What he's here for. Why he's here.

22 Q And writ/ATA?

23 A That means he's out.

24 Q And parole violator pending?

25 A Means parole hasn't totally sentenced him

1 yet.

2 Q Is that the PVP status you talked about
3 earlier?

4 A Yes.

5 Q If you needed to know where one of the
6 inmates who was in your caseload was at any time in
7 the past, how would you get that information as a
8 records specialist?

9 A I guess go into the screen. There's probably
10 a screen where you can get it. I don't remember what
11 it was.

12 Q A computer screen?

13 A Yeah.

14 Q That would be something that wouldn't be in
15 the paper file?

16 A Not like this, no.

17 MS. TOBIN: Okay. We can break for lunch.

18 (Whereupon, a luncheon recess was taken from
19 12:08 p.m. until 12:51 p.m.)

20 AFTER RECESS

21 MS. TOBIN: Just as an administrative thing,
22 I realize I marked two documents with the same exhibit
23 number. So I wanted to clarify that. Bates number
24 1166 is currently marked as Herbst 9. We'll call that
25 Herbst 9-A. And Bates 1066 which is the body receipt

1 is also called Herbst 9. And we'll call that Herbst
2 9-B.

3 (Whereupon, a document was produced and
4 marked as Herbst Exhibit No. 11 for identification.)

5 BY MS. TOBIN:

6 Q Showing you what I have marked as Herbst 11,
7 a two-page document. Do you recognize that document?

8 A It's an order to recommit.

9 Q Is this a document that you would get from
10 the parole board?

11 A Yes.

12 Q And is this what you testified earlier that
13 you would get to get the backtime numbers to put into
14 the DC-16E?

15 A Yes.

16 Q And on the first page I see backtime credit
17 147 D and backtime owed 1,971 D. Are there any -- and
18 those are the two items of data that you would input
19 into the computer when you got this document from the
20 parole board?

21 A Yes.

22 Q How did you actually get this document from
23 them? How did that come to you?

24 A I don't remember how we got them.

25 Q Do you remember if you got it in paper form

1 or if it came -- if you could access this over the
2 computer?

3 A This would come in paper form.

4 Q And do you remember whether it came from the
5 institutional parole office or from the main parole
6 board office, wherever that was?

7 A That I don't remember.

8 Q When you would get this -- a document like
9 this, what would your first step be? What would you
10 do?

11 A Create a new 16E and put these numbers in.

12 Q And would you only put in those two numbers,
13 backtime credit and backtime owed?

14 A Yes.

15 Q Do you know what these other fields, what the
16 meaning of these other fields are on this form?

17 A No.

18 Q And would you look at any of these dates and
19 double-check them with the dates you had in your
20 records for the inmate?

21 A No.

22 Q And down at the bottom there would be --
23 there's a section called convictions resulting in
24 recommitment. Did you do anything with that
25 information?

1 A I don't remember if I did or not.

2 Q On the second page which is Bates 1046.

3 MR. KEATING: Is this a separate exhibit?

4 MS. TOBIN: It's the same exhibit. It's a
5 two-page exhibit. The Bates numbers are not
6 sequential. But I could ask Ms. Herbst.

7 BY MS. TOBIN:

8 Q Do these two documents based on the time
9 stamp in the bottom right corner, do you think they go
10 together?

11 A Yeah.

12 Q Okay. So is this second page Bates 1046 is
13 that something that would usually accompany the front
14 page?

15 A I guess so since it came from the parole
16 board.

17 Q What do the two fields under miscellaneous
18 notes and note conviction, what do those mean?

19 A I have no idea.

20 Q If there had been something written there,
21 would you handle that information, also?

22 A That I don't know.

23 Q So what you would do with this form is input
24 just backtime credit and backtime owed?

25 A Yes.

1 Q Okay. And then after you did that with
2 the -- into the DC-16E, what would you do with this
3 piece of paper?

4 A This would go in his file.

5 Q And then would there be any other steps that
6 you would take with regard to the inmate computer
7 system or his file?

8 A No.

9 Q And if you had a question about anything on
10 the order to recommit, what would you do?

11 A Get a hold of parole.

12 MR. KEATING: Is that an answer or question?

13 THE WITNESS: No. I would get a hold of
14 parole.

15 MR. KEATING: The way you said it it sounded
16 like a question.

17 THE WITNESS: No. I would get a hold of
18 parole.

19 MR. KEATING: It sounded like get a hold of
20 parole?

21 (Whereupon, a document was produced and
22 marked as Herbst Exhibit No. 12 for identification.)

23 BY MS. TOBIN:

24 Q I'm showing you what's been marked as Kodack
25 12 and it'll be Herbst 12 as well. Do you recognize

1 that document?

2 A Yeah. This is a document they need when they
3 come back in.

4 Q And what would your involvement be with
5 handling this document, if any?

6 A Make sure it got on his chart.

7 Q And how would that happen?

8 A Bring him back and put it in.

9 Q Would you put it into the physical file?

10 A Yes.

11 Q Is this a task that would be for the person
12 handling the intake process on a particular day?

13 A To put it in the file?

14 Q Yes.

15 A No.

16 Q Whose job would that be?

17 A This is a records job.

18 Q And would it be the person in records who is
19 assigned to this particular inmate's case who would
20 put it in the file?

21 A Yes.

22 Q Anything else you would do with this document
23 besides put it in the file?

24 A I don't remember if we did anything else with
25 them or not.

1 (Whereupon, a document was produced and
2 marked as Herbst Exhibit No. 13 for identification.)

3 MS. TOBIN:

4 Q I'm showing you Herbst 13. Do you recognize
5 that document?

6 MR. KEATING: Do you know what it is?

7 THE WITNESS: No.

8 BY MS. TOBIN:

9 Q So this isn't something that you would have
10 any dealings with as a records specialist?

11 A Other than maybe receive it when he came in.

12 Q You wouldn't do any data entry related to
13 this?

14 A Not that I remember.

15 Q Apart from the backtime information that you
16 got on the recommitment order document, did you track
17 any other aspect of your inmate's parole activities?

18 A I don't remember doing it.

19 Q Did you -- so nothing besides the backtime?

20 A That's it that I remember doing.

21 MR. KEATING: Are you saying that she
22 testified that they did track the backtime?

23 MS. TOBIN: Well, she testified that on the
24 recommitment order she used the two backtime dates to
25 input and that that's the information she dealt with.

1 MR. KEATING: Okay.

2 BY MS. TOBIN:

3 Q So I'm trying to find out if you did
4 anything, any other tracking of information related to
5 parole other than that?

6 A No.

7 MR. KEATING: Because I don't want the record
8 to mischaracterize what she said.

9 MS. TOBIN: I don't think I mischaracterized
10 it.

11 BY MS. TOBIN:

12 Q Is that accurate, you only used the -- you
13 extract the two backtime dates from the recommitment
14 order and put those into the DC-16E form?

15 A Yes.

16 Q That's accurate?

17 A Yes.

18 Q Okay. If the inmate was coming back after
19 violating parole, did you have anything to do with
20 making sure he got his notice of his hearing and his
21 parole violation hearing?

22 A No.

23 Q Do you know who, if anyone, did at DOC? If
24 any staff member was in charge of that?

25 A Not unless parole was.

1 Q But you didn't track whether he's going to
2 his hearing?

3 A Only if someone called and said we're picking
4 him up to take him out somewhere, that would be the
5 only thing.

6 Q Okay. So you didn't make sure that he was
7 going to have a hearing?

8 A No.

9 (Whereupon, a document was produced and
10 marked as Herbst Exhibit No. 14 for identification.)

11 BY MS. TOBIN:

12 Q Showing you what's been marked as Herbst --
13 excuse me. It's been marked as Kodack 45. It's
14 Herbst 14. Could you take a look at that? Do you
15 recognize that document?

16 A Um-hum.

17 Q What is that?

18 A That is --

19 MR. KEATING: Is that a yes?

20 THE WITNESS: Yes. It's an inmate request.

21 BY MS. TOBIN:

22 Q And is that your signature at the bottom?

23 A Yes.

24 Q And if you could just take a moment to read
25 it to yourself and let me know when you're done.

1 A Okay.

2 Q So this is from Mr. Jessup to Ms. Kodack?

3 A Right.

4 Q So it's not directed to you. Do you know why
5 you were the one who answered it?

6 A Because it was my number. It ended in a
7 nine.

8 Q Okay. Was that assigned -- so was this -- do
9 you remember how you got this piece of paper?

10 A It would have been put in my -- we had slots
11 you put stuff in.

12 Q Okay. When you got this document, what did
13 you -- what was your first thing you did?

14 A I read it and then I answered it.

15 Q And if you could read just to yourself
16 what -- actually, read for the record what the inmate
17 is saying in the request.

18 A Could you please schedule me, talk to you or
19 someone in records containing my total time spent
20 incarcerated at this institution? I believe there is
21 an error in my sentence calculation.

22 Q And what did you do right after you read
23 that?

24 A I informed him that he had to talk to parole
25 because they're the ones that calculated his time. We

1 don't have anything to do with -- sorry.

2 MR. KEATING: Just answer the question that's
3 before you.

4 BY MS. TOBIN:

5 Q Did you look in his DC-15 file for
6 information about the time he'd spent in the
7 institution?

8 A I don't remember if I did or not.

9 Q Did you look at his information on the
10 computer system after getting this?

11 A I think I just answered it saying he had to
12 get a hold of parole.

13 Q Why is the response typewritten?

14 A Because my handwriting sucks. I just typed
15 it out and taped it on.

16 Q And did you do that with other requests as
17 well?

18 A Yes.

19 Q Did you schedule an appointment to talk with
20 Mr. Chappelle -- or excuse me, Mr. Jessup, after he
21 submitted this?

22 A No.

23 Q And why not?

24 A Because he would have had to talk to parole.

25 Q The request -- in his request, his

1 handwritten part doesn't mention parole. So what
2 triggered you to respond that he had to talk to
3 parole?

4 A Parole was the one that gave him his time.
5 They're the ones that calculated what he needed to do.
6 We didn't calculate it. We got the time from them.

7 Q Did you talk with your supervisor, Ms.
8 Kodack, after you got this request?

9 A No. I just answered it.

10 Q Do you remember whether you got any requests
11 after this from Mr. Jessup?

12 A No. I don't remember if I did or not.

13 Q If you had gotten any, would they be in the
14 file?

15 A Yes.

16 Q In the request, he asserts that he thinks
17 there's a problem with his sentence calculation. Did
18 you look at his max date or any aspect of his
19 computation in response to that assertion?

20 A No.

21 Q Did you contact parole to find out what was
22 going on with his sentence --

23 A No.

24 Q -- computation?

25 MR. KEATING: You have to let her finish the

1 question.

2 THE WITNESS: Okay. Sorry.

3 BY MS. TOBIN:

4 Q So you didn't contact -- you just responded
5 and didn't contact -- is it accurate to say you didn't
6 contact anyone?

7 A Right.

8 Q Did you look at any of the parole information
9 that you had received as of that date to look at that,
10 the recommitment order or any other parole document?

11 A Not the documents, no.

12 Q Did you look anywhere for any parole
13 information?

14 A I might have pulled him up on the screen to
15 see who he was and what he was talking about.

16 Q At any point after that date or before it,
17 did anyone from records or anyone at the institution
18 contact you to ask you about Mr. Jessup's sentence
19 computations?

20 A Not that I remember.

21 Q Did any parole person contact you to talk
22 about Mr. Jessup's sentence?

23 A Not that I remember.

24 (Whereupon, a document was produced and
25 marked as Herbst Exhibit No. 15 for identification.)

1 BY MS. TOBIN:

2 Q I'm showing you Herbst 15, previously marked
3 as Kodack 31. If you could review that, and let me
4 know when you're done. Are you done?

5 A Yeah.

6 Q Before today, have you seen this document
7 before?

8 A No.

9 Q And this one is dated April 17th of '09.
10 After reading this part in section eight, what the
11 inmate states, what does that mean to you what he is
12 asserting in section eight?

13 MR. KEATING: You want her just to read it
14 out for the record? I mean it says what it says.

15 MS. TOBIN: I just want --

16 MR. KEATING: She hasn't seen it before.

17 MS. TOBIN: I understand that.

18 BY MS. TOBIN:

19 Q Just what does that mean to you in your own
20 understanding of what that means?

21 A He's assuming he's being held past his max.

22 Q And have you ever had inmates other than
23 this, aside from this, complain to records or to you
24 that they are being held past their max?

25 A I don't remember if I did or not.

1 Q If you had, is there a procedure to follow
2 to^--

3 MR. KEATING: If she had remembered?

4 BY MS. TOBIN:

5 Q Is there a procedure to follow when an inmate
6 complains that he is being held past his max?

7 A I don't know. I don't remember ever having
8 to do it.

9 Q Did Superintendent Varano ever come talk to
10 you about Mr. Jessup's complaint?

11 A Not me he didn't.

12 (Whereupon, a document was produced and
13 marked as Herbst Exhibit No. 16 for identification.)

14 BY MS. TOBIN:

15 Q I'm showing you Herbst 16, previously Kodack
16 25. Do you recognize that document?

17 A No.

18 Q This is not something that you would handle
19 as a records specialist?

20 A No. Not that I remember.

21 (Whereupon, a document was produced and
22 marked as Herbst Exhibit No. 17 for identification.)

23 BY MS. TOBIN:

24 Q I'm showing you Herbst 17. Do you recognize
25 this document?

1 A No.

2 Q As a records specialist did you have any duty
3 to track or handle information related to federal
4 sentences for state inmates?

5 A Not that I remember.

6 Q So if somebody had a federal sentence, you
7 didn't have any input to do -- data input to do about
8 that?

9 A We might have had to put it in, but I don't
10 remember if we did or not.

11 Q And you've never seen this document before?

12 A I never saw this before, no.

13 (Whereupon, a document was produced and
14 marked as Herbst Exhibit No. 18 for identification.)

15 BY MS. TOBIN:

16 Q I'm showing you Herbst 18. Do you recognize
17 that document?

18 A I don't recognize it. Oh. This is his
19 destruction date. This would be when he -- I don't
20 remember what it is.

21 MR. KEATING: Okay. If you don't remember

1 A No.

2 Q As a records specialist did you have any duty
3 to track or handle information related to federal
4 sentences for state inmates?

5 A Not that I remember.

6 Q So if somebody had a federal sentence, you
7 didn't have any input to do -- data input to do about
8 that?

9 A We might have had to put it in, but I don't
10 remember if we did or not.

11 Q And you've never seen this document before?

12 A I never saw this before, no.

13 (Whereupon, a document was produced and
14 marked as Herbst Exhibit No. 18 for identification.)

15 BY MS. TOBIN:

16 Q I'm showing you Herbst 18. Do you recognize
17 that document?

18 A I don't recognize it. Oh. This is his
19 destruction date. This would be when he -- I don't
20 remember what it is.

21 MR. KEATING: Okay. If you don't remember
22 what it is, that's fine.

23 THE WITNESS: I don't remember what it is,
24 no.

25 BY MS. TOBIN:

1 Q What is a dissemination sheet?

2 A I don't remember what it is.

3 Q As a records specialist when you were
4 maintaining the DC-15, was there a procedure you used
5 when it was time to destroy the file?

6 A There were certain things you took out of the
7 chart before it got sent to Harrisburg where they kept
8 it for so long down there.

9 Q And was there a policy or some kind of
10 document that told you what things to keep?

11 A I don't know if there was or not.

12 Q On this document, there is a column the third
13 one from the right that says name of person
14 disseminating or destroying information. Is that your
15 name below that?

16 A Yes.

17 Q And then the far -- the column immediately to
18 the right what does that column say?

19 A Which way you going?

20 Q Immediately to the right of your name.

21 A I don't know what that says. I can't read
22 it.

23 Q You don't remember filling this form out?

24 A I don't remember filling it out, no.

25 Q And in the far left column it says date of

1 dissemination or destruction. I might need to get a
2 better copy of this. It is hard to read.

3 MR. KEATING: I think that's about the best
4 copy you're gonna get.

5 MS. TOBIN: This is one that you did. Yeah,
6 you got me a better copy. Well, in the far right
7 column.

8 MR. KEATING: And the 4/16/2009 Herbst below
9 there where it's written on that, that's my
10 handwriting. I wrote that.

11 BY MS. TOBIN:

12 Q So in the far right column, the column to the
13 far right at least on the copy that I made this from
14 appears to say destroyed. Have a column for destroyed
15 and then the column immediately to the left says
16 disseminated. There's an X in the box to the far
17 right column. Do you remember destroying Mr. Jessup's
18 file?

19 A No.

20 Q Have you -- and you have no idea why this
21 form was filled out?

22 A Unless it was destroyed and we had to recall
23 it from Harrisburg.

24 Q Does Harrisburg handle the destruction of
25 files or just the retention of files?

1 A They retain them for I think it's ten years.

2 Q So you don't have a place here where you
3 actually shred files or destroy them?

4 A No.

5 Q Do you remember filling out dissemination
6 sheets in any other cases?

7 A No, I don't remember filling them out.

8 Q How did you track people who were going to
9 max out?

10 A There's a list on the computer system on who
11 maxes out and what their dates are.

12 Q And what would your duties be with regard to
13 tracking that?

14 A We just pull up who's gonna max out. We get
15 a list of who's maxing out and do what we had to do.

16 Q What kind of things did you have to do?

17 A Find out how they're leaving, where they're
18 going, how they're leaving.

19 MS. TOBIN: I have no further questions.

20 CROSS-EXAMINATION

21 BY MR. KEATING:

22 Q On Herbst Exhibit Number 18 that we were
23 looking at, the dissemination sheet inmate DC-15 that
24 we were talking about. Did you see that?

25 A Um-hum.

1 Q And can you tell from that assuming that
2 something was destroyed, can you tell if that means
3 destroying the entire file or portions of the file?

4 A Just portions of it.

5 Q How do you know what portions if there were
6 or what documents were destroyed if you were -- if you
7 were to destroy some of it?

8 A It was told to me what was kept and what
9 wasn't kept.

10 Q Okay. The second column from the left it
11 says identify document. Can you read what it says in
12 that exhibit below there, right here?

13 A No.

14 Q And then in the fourth column it says
15 something title or agency of person requesting
16 information. What does that say?

17 A That's RS two. That's my title.

18 Q That's your title?

19 A Yes.

20 Q And these are for dissemination of
21 information it says what next to it?

22 A That's the rap sheet.

23 Q Does it say DC-15?

24 A It says DC-15, yeah.

25 Q You said the rap sheet. What does that mean?

1 A That might be underneath the document.

2 Q That may be rap, r-a-p?

3 A Yeah.

4 Q Does the DOC routinely destroy the rap sheet
5 of a DC-15 after the inmate is released, if you know?

6 A I don't know.

7 Q Okay. Is there any reason why you can think
8 of that you would have destroyed an inmate's rap sheet
9 that was in their DC-15?

10 A Made a new one. They probably did -- we
11 probably did a new one when he came back in.

12 Q Well, does every inmate when they come back
13 in, do they always -- do you always do a new rap sheet
14 form?

15 A I don't remember if we did everybody.

16 Q And when you do that for an inmate coming
17 back in, do you always destroy the old rap sheet?

18 A Um-hum. Yes.

19 Q And when you destroy the old rap sheet, does
20 the person destroying always fill out a document such
21 as this?

22 A Yes.

23 Q Okay. I'm looking for document Bates stamp
24 887. Let's see if I can find it in here. Referring
25 to a document which the Bate stamp is DEF 000887.

1 This is page two of what type of document? What's it
2 called?

3 A The 16E.

4 Q The 16E. And the sentence computation date
5 on that document there is the date that you put in for
6 the computation of the sentence? Is that a correct --
7 is that -- what does the sentence computation date
8 reflect?

9 A Right. When it was done.

10 Q When it was done?

11 A When it was done.

12 Q Okay. And then down at the bottom when it
13 says closed, that date there is that when that would
14 have been reviewed by Michelle?

15 A Right.

16 Q Does Michelle review every single one of
17 these?

18 A Yes, sir.

19 Q And sign off on them?

20 A Yes.

21 Q And I think you were asked whether you
22 double-checked the max time from what the computer
23 generated the new max time. You answered no, you did
24 not. Is that what you testified to?

25 A Yes.

1 Q Okay. And that max time's computer
2 generated?

3 A Computer generated.

4 Q From the information you receive from parole;
5 is that correct?

6 A Yes.

7 Q Now, when you got this sheet here, did you
8 double-check and see that the indictment included up
9 top where it says CP 0033-9503, did you double-check
10 that to see if that was correct? Did you double-check
11 and see if that was a correct indictment on that paper
12 when it came back?

13 A Yes.

14 Q You double-checked and you checked it with
15 everything?

16 A Yeah.

17 Q And you double-check the effective date?

18 A Yes.

19 Q Okay. What information did you double-check
20 and what information did you not double-check?

21 MS. TOBIN: Are you talking about on Bates
22 887?

23 MR. KEATING: I'm talking about 887.

24 THE WITNESS: I wouldn't have checked 887.

25 BY MR. KEATING:

1 Q I don't mean the number. I'm saying of all
2 the information that's contained on 887, what
3 information did you double-check and what information
4 did you not? You already testified you did not check
5 the new maximum date, correct?

6 A Right.

7 Q Did you check the backtime owed?

8 A We check that. Make sure that was right and
9 the backtime credit was right what was on the papers
10 we were given.

11 Q Okay. So you check that with what you
12 receive from probation and parole?

13 A Right.

14 Q And did you check the custody for return?

15 A Yes.

16 Q Okay. Is there anything you didn't check
17 that was correct? Did you check to make sure it was
18 Kevin Jessup up top?

19 A Yes. It would have had to have been. We
20 pull up his records to do it that way.

21 Q So the computer generates it, you just check
22 that it's the correct information from the computer
23 given the information you got from parole?

24 A Right.

25 Q And when it says backtime credit and it says

1 4M 24D, does that mean 4 months, 24 days?

2 A Yes, sir.

3 Q And backtime owed is 5Y 4M 23D. Does that
4 mean 5 years, 4 months, 23 days?

5 A Yes.

6 Q Now, on Herbst 11 which is Bates stamp 901,
7 there's an indication of recomputed max date of
8 September 6th, 2014, correct?

9 A Yes.

10 Q And is that a probation and parole document
11 that you received?

12 A Yes.

13 Q Did you call up probation and parole and ask
14 them where they got September 6th, 2014?

15 A No.

16 Q Why not?

17 A I assumed it was right.

18 Q You were asked if the parole board ever gave
19 you any training about how they calculate backtime. I
20 believe your answer was no; is that correct?

21 A Correct.

22 Q Did the justice department ever give you any
23 training as to how to lodge a detainer?

24 A Not the justice department, no.

25 Q Did any other agency that computed sentencing

1 give you training on how they compute the sentencing
2 or how they do their job?

3 A No.

4 Q If the parole board erred in calculating an
5 inmate's backtime, could you change it?

6 A No.

7 Q Why not?

8 A I can change it if they changed it.

9 Q If a person is out on parole and they commit
10 a new offense and they're waiting on the new charges
11 and they're sitting in jail waiting on the new
12 charges, who decides the time -- where the time they
13 sit in prison on those new charges go for their
14 backtime, whether it goes for the old charges or new
15 charges? Who computes or decides that time?

16 A I don't know.

17 Q Does the Department of Corrections?

18 A No.

19 Q Was it your duty to make sure the inmates
20 whose records you were keeping were lawfully
21 convicted?

22 A Pardon?

23 Q Was it your duty to make sure that the
24 inmates whose records you were keeping were lawfully
25 convicted? Do you understand what I mean?

1 A No. Explain.

2 Q Okay. If an inmate sent you a request saying
3 I shouldn't be here, the judge made an error at my
4 sentencing in my trial and I'm not lawfully convicted,
5 was it up to you to make sure they were lawfully
6 convicted and are here?

7 A No.

8 Q So you wouldn't call the judge up and say
9 judge, the inmate told me that you made an error
10 during his trial. You should change it?

11 A No.

12 Q Would you tell him to go back to the judge
13 and take it up with him?

14 A Yes. Actually, I think we preferred to tell
15 them to get in contact with their lawyer.

16 Q Okay. When you got the request slip about
17 Mr. Jessup complaining that he was being held past his
18 max, did you ignore his request?

19 A No. I answered it right away.

20 Q Did you pull his file out and review his file
21 to look at it before you answered it?

22 A No. I just answered it.

23 Q Did you know off the top of your head who he
24 was and what it was?

25 MS. TOBIN: I believe she testified earlier

1 that she pulled it up on the computer.

2 THE WITNESS: I pulled it up on the computer.
3 His number up on the computer.

4 BY MR. KEATING:

5 Q Okay. And did the computer tell you that the
6 parole board had him for a certain max date?

7 A Yes.

8 Q And he didn't max that date out, did he?

9 A No.

10 Q On Herbst Number 15, Mr. Varano puts in
11 writing here "Obviously we would not be keeping you
12 past your max date.". Did you have any interest in
13 keeping Mr. Jessup past his maximum date?

14 A No.

15 Q Did you have any interest in keeping any
16 inmate past their maximum date?

17 A No.

18 MR. KEATING: I have no other questions.

19 MS. TOBIN: I have one.

20 REDIRECT EXAMINATION

21 BY MS. TOBIN:

22 Q You testified when your counsel asked you
23 whether or not you could change a calculation that the
24 parole board made and you said no, I can't. Is there
25 a directive or some kind of instruction that you were

1 given that told you that?

2 A We can't change anything unless it would come
3 from parole, then we can change it.

4 Q And how did you come to learn that, that you
5 can't change anything unless it comes from parole?

6 A You were told that. You can't change
7 anything without a legal document.

8 Q And who told you that?

9 A I learned that at Camp Hill. You can't
10 change anything unless you have a legal document to do
11 it. It has to be signed, sealed to do anything to it.
12 Parole stuff might not be but anything from the
13 courts, anything from anywhere has to be a sealed
14 document.

15 MS. TOBIN: Okay. Thank you. No further
16 questions.

17 RECROSSEXAMINATIONBY MR. KEATING:

18 Q You said parole documents might not have to
19 be. You mean the parole documents don't have to be
20 sealed?

21 A Right. That comes from inside the
22 institution. Anything that comes in from outside, may
23 be sealed.

24 Q But if you get a detainer from parole such as
25 Herbst Exhibit Number 12?

1 A That would have to be sealed. Some kind of
2 seal on it.

3 MS. TOBIN: Tim, you were right. I do have
4 one more.

5 REDIRECT EXAMINATION

6 BY MS. TOBIN:

7 Q So you can't change anything unless -- you
8 can't change anything unless parole changes it. Is
9 there anything that prohibits you from questioning it
10 or questioning parole board's calculation?

11 A I don't know.

12 MS. TOBIN: Okay. No further questions.

13 RECROSS-EXAMINATION

14 BY MR. KEATING:

15 Q Is there a parole -- institutional parole
16 officer here at SCI-Coal Township?

17 A Yeah, a parole officer is here.

18 Q How many parole officers do they have?

19 A I don't know how many they have.

20 Q And when Mr. Jessup filed his request about
21 his sentence computation, you wrote back and said
22 look, this is what the maximum date the parole has.
23 You have to take it up with parole, correct?

24 A Correct.

25 Q Why didn't you just call down at parole and

1 say hey or did you? Did you call down to parole and
2 say this inmate's --

3 A No. That's his doing. If he wants it
4 checked into, he has to do it.

5 Q How would he do that?

6 A Send another request down to parole, ask to
7 see them.

8 Q Do you know if he did that or not?

9 A I have no idea. Couldn't tell you. No clue.

10 MR. KEATING: Okay. I have no other
11 questions.

12 MS. TOBIN: Nothing further.

13 (Whereupon, the deposition was concluded at
14 1:34 p.m.)
15
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25

1 COUNTY OF UNION :

2 COMMONWEALTH OF PENNSYLVANIA:

3
4 I, Faith A. Culp, the undersigned Notary
5 Public, do hereby certify that personally appeared
6 before me, DEBORAH HERBST; the witness, being by me
7 first duly sworn to testify the truth, the whole truth
8 and nothing but the truth, in answer to the oral
9 questions propounded to her by the attorneys for the
10 respective parties, testified as set forth in the
11 foregoing deposition.

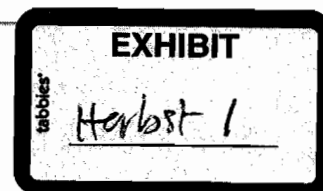
12 I further certify that before the taking of
13 said deposition, the above witness was duly sworn,
14 that the questions and answers were taken down
15 stenographically by the said Faith A. Culp, Court
16 Reporter, Winfield, Pennsylvania, approved and agreed
17 to, and afterwards reduced to typewriting under the
18 direction of the said Reporter.

19 In testimony whereof, I have hereunto
20 subscribed my hand this 13th day of July, 2012.

21 Faith A. Culp
22 Reporter-Notary Public
23 My Commission Expires
24 August 23, 2014
25

Jennifer Tobin

From: Keating, Timothy P. [tkeating@attorneygeneral.gov]
Sent: Thursday, July 05, 2012 12:41 PM
To: jtobin@pailp.org
Subject: 2009 document of Herbst containing description of duties



Last Name	First Name	MI	Personnel Number
Job Title	Job Code	Working Title	Position Number
Department	Organization	Organization Code	
Supervisor's Last Name	Supervisor's First Name	Supervisor's Job Title	Supervisor's Pos Number

Start Time	End Time	Hours/Week	Days Worked (Check all that apply)	Explain any schedule variations:
0800	1600	37.5	<div style="display: flex; justify-content: space-around;"> SMTWTFS </div> <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/> </div>	

Position Purpose: Describe the primary purpose of this position and how it contributes to the organization's objectives. Example: *Provides clerical and office support within the Division to ensure its operations are conducted efficiently and effectively.*

Functions as a Records Specialist 2 at SCI Coal Township and is responsible for the maintenance of the inmate DC 15 file.

Description of Duties: Describe in detail the duties and responsibilities assigned to this position. Descriptions should include the major end result of the task. Example: *Types correspondence, reports, and other various documents from handwritten drafts for review and signature of the supervisor.*

The Records Specialist 2 position is assigned to the Inmate Records Office under the direct supervision of the Records Supervisor. This is an advanced, specialized information management and documentary investigative duty position. Responsibilities assigned to the Records Specialist 2 are: The computation and re-computation of state and county sentences imposed by the court system in accordance with mandates of the Court and the Commonwealth's Sentencing Rules, Regulations and Laws, and Department of Corrections policy, to ensure that inmates are properly committed and confined; analysis and interpretation of court orders and/or supporting documentation to determine appropriate course of action as it relates to imminent release, change in place of confinement or commitment credit, to ensure timely and appropriate presentation for parole consideration or discharge at expiration of maximum sentence. Initiate action to obtain additional data or information

necessary to reconcile identified discrepancies or inconsistencies in court determination. Ensure accurate information is maintained in the Inmate Records System computer and that changes are entered as they occur as a result of sentence re-calculation via the DC-23B Sentence Status Change Report and that required information is relayed to the inmate, institutional staff, the Pennsylvania Board of Probation and Parole, PSP and Central Office; as necessary, Records Office staff meets with inmates to explain complex and or multiple sentence status changes.

The initiation of contact, both written and verbal, with various criminal justice agency officials to obtain/exchange information relative to an inmates criminal history and subsequent activity within the criminal justice system; written contact with court officials when it has been determined that the Department cannot legally honor a court order. The comprehensive review of an inmates file when processing inmates pending pre-release status, outside clearance, parole or final discharge to include the investigation of all arrests with unknown dispositions, through the independent analysis of pre-sentence investigation reports, the National Crime Information Center (NCIC), the Pennsylvania State Police Central Respiratory and all available sources to ensure all pending judicial processes have been satisfied prior to any manner of release for incarceration.

The arrangements for surrendering inmates to demanding authorities for court appearance or at time of release from current sentence, ensuring appropriate authorization is presented by the requesting agency for all releases including authorized temporary absence and verification of identity of transporting officials prior to relinquishing custody of an inmate. The representation of the Department at extradition hearings or other judicial proceedings when required by the court, testifying on matters relating to identification of an inmate and/or current sentence status.

The administration of Act 57 of 2002, DNA Act, and the identification of offenders who fall subject to this act, ensuring that the required DNA sample is obtained prior to outside clearance status or any manner of release.

The administration of Act 18 of 2000, Megan's law, and the identification of offenders who fall subject to this act, ensuring they are registered prior to any manner of release. The Records Specialist 2 will interview the inmate prior to registration in order to complete the registration form. Shall inform the inmate in person about the law, how to maintain registry, notify the Pennsylvania State Police of address changes, registration requirements when moving and the consequences of failure to register. Answer all questions from inmate on this subject.

The administration of Act 84 of 1998, Information Exchange and Victims Restitution Legislation, by ensuring appropriate documentation from the county is provided to the Institutional Business office in order that an inmates financial obligations are identified. Ensure the exchange of required information when an inmate is released or transferred to any county facility.

The identification of offenders who are subject to Act 143 of 1998, the Victims Awareness Education Classes, in order that required programming can be scheduled.

The interview of parole violators returned by PBPP field agents; the monitoring of parole violators who are in pending status to ensure timely recommitment or appropriate release by the Board; the review and analysis of Board actions to include but not limited to paroling, detain, continue and "when available" actions; the analysis of recommitment orders issued by the Board to ensure accuracy and the recomputation of sentence of technical and/or convicted parole violators to include the determination of appropriate credit due on convictions resulting in recommitment as a convicted

violator.

Ensure an inmate due process under the Interstate Agreement on Detainers, in order that disposition may be had of indictments, information's or complaints filed against inmates of one state by officials of another state; maintain contact with the prosecutor of the requesting state in order to monitor adherence to Article III and Article IV of the Act which outlines time frames under which the inmate must be brought to trial.

The institution notification of inmates transferring in/out of the institution, reviewing Central Office notification of pending transfers to ensure no inappropriate transfers occur due to an inmates current classification status.

The processing of inmate receptions, reviewing the DC-15 to ensure the appropriate confinement orders, official version/PSI and current criminal history are available, review of detainer status, separations and misconduct history and current legal disposition authority.

The preparation of escape circulars with descriptive information, making same available to police departments in a pre-determined radius of the institution; the entry of the initial NCIC/CLEAN notification of any escape and the provision of required information to the Pennsylvania State Police in order that subject can be entered into the system as a wanted person.

Certification by the Pennsylvania State Police to access the NCIC/CLEAN system, with recertification being obtained every two years.

As necessary, providing orientation and introduction regarding Records Office operations to institutional personnel and inmates.

Keep up to date on court decisions/rulings as they relate to the sentence computation, credit, etc.

The maintenance, storage and access of all inmate records, excluding the medical record jacket and the responsibility for the security of the inmate records jacket (DC-15) maintained on every inmate, both active and inactive.

Maintaining the operation of the I.D. Office such as photographing inmates, fingerprinting inmates as required, retrieving picture packets for van day, and processing I.D. Office mail.

The following routine responsibilities of Records Office staff.

Data entry into the IRS regarding population movements and accompanying inter-institutional reports.

Assembly of pertinent records necessary for inmates temporary/permanent transfer to another facility.

Deactivation of inactive files according to Records Retention Schedule.

Filing correspondence and reports received from outside agencies on a daily basis.

Dissemination of information regarding population movements via count and the end of the month report.

Prepare County Parole Applications, Commutation Summaries, Inmate Records Reviews and DC 13A reports.

Attend judicial hearings as directed by the Records Supervisor.

Compute daily count and make computer entries as required.

Assist staff with inquiries regarding inmate's records.

Initiate OVRTs upon reception of 2R, 1G screenings, Annual Review Lists, Parole Staffings, Recommitment of Parole Violators and new inmates received into this institution.

Give direction to Records Specialists I's at this institution within the framework of Department regulation and current policy. This will not include discipline of a Records Specialist, authorizing leave or work evaluations.

Assist Records Supervisor in assigned tasks to keep the Records Office in line with Department policy as well as institutional policy and procedure.

Perform all other duties as required.

Decision Making: Describe the types of decisions made by the incumbent of this position and the types of decisions referred to others. Identify the problems or issues that can be resolved at the level of this position, versus those that must be referred to the supervisor. Example: In response to a customer inquiry, I research the status of an activity and prepare a formal response for my supervisor's signature.

Responsible for decision making and maintenance of the DC 15.

Requirements Profile: Identify any requirements, such as a licensure, registration, or certification, which may be necessary to perform the functions of the positions. Position-specific requirements should be consistent with a Necessary Special Requirement or other criteria identified in the classification specification covering this position. Example: Professional Engineer License

1. N/A

2. N/A

3. N/A

Essential Functions: Provide a list of essential functions for this position. Example: Transports boxes weighing up to 60 pounds.

1. Communicate orally/writing.
2. Compute sentence structures.
3. Identify inmates from photographs.
4. Operate typewriter and word processor.
5. Operate mainframe computer.
6. Operate fax and telephone equipment.
7. Operate key locks.
8. Read written documents.

9. Pull and file DC 15's.
10.

CERTIFICATION

By entering my name below, I certify to the best of my knowledge all statements contained in this position description are correct.

Employee's Acknowledgement	Job Title:	Date
DEBORAH K. HERBST	Rcrds Spcst 2	5/5/2009 2:47:10 PM

Supervisor's Acknowledgement	Job Title:	Date
Michelle Kodack	Rcrds Supv	5/5/2009 2:41:11 PM

Reviewing Officer's Acknowledgement	Job Title:	Date
Linda Chismar	Corr Clsftn Prgm Mgr	5/5/2009 2:59:13 PM

Michelle Kodack | Records Supervisor
Department of Corrections | SCI Coal Township
1 Kelley Drive | Coal Township, PA 17866
570.644.7890 Ext. 2145 | Fax 570.644.3414

7/5/2012

FORM DC-23B			SENTENCE STATUS CHANGE REPORT			COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS				
INSTITUTIONAL NUMBER		PBP NUMBER		COMMITMENT NAME		INSTITUTION		DATE OF REPORT		
A SENTENCE STATUS CHANGE REPORT IS SUBMITTED ON THE ABOVE INMATE, AS INDICATED BY THE CHECKED SECTION (S)										
<input type="checkbox"/> 1. THE SENTENCE WHICH THIS INMATE IS CURRENTLY UNDERGOING IS AS FOLLOWS:										
SENTENCE		EFFECTIVE DATE		EFFECTIVE DATE-PV		MINIMUM DATE		MAXIMUM DATE		
OFFENSE (S)					COURT — INDICTMENT NUMBER — TERM					
COUNTY		REMARKS								
<input type="checkbox"/> 2. THE SENTENCE WHICH THIS INMATE IS CURRENTLY UNDERGOING IS CHANGED AS FOLLOWS:										
TYPE OF CHANGE		<input type="checkbox"/> OVERLAPPING CONCURRENT SENT.		<input type="checkbox"/> UNDERLAPPING CONCURRENT SENT.		<input type="checkbox"/> RECONSIDERED SENTENCE		<input type="checkbox"/> CORRECTED COMMITMENT		
								<input type="checkbox"/> COMMUTED SENTENCE		
								<input type="checkbox"/> RECOMPUTED SENTENCE		
SENTENCE		EFFECTIVE DATE		EFFECTIVE DATE-PV		MINIMUM DATE		MAXIMUM DATE		
PROSECUTING POLICE DEPARTMENT			JUDGE			DATE OF SENTENCE		PLEA		
								ESCAPE TIME		
OFFENSE (S)					COURT — INDICTMENT NUMBER — TERM					
COUNTY		REMARKS								
<input type="checkbox"/> 3. FOLLOWING COMPLETION OF THIS INMATE'S CURRENT SENTENCE, HE WILL BE REENTERED TO SERVE THE FOLLOWING:										
SENTENCE		JUDGE			DATE OF SENTENCE		PLEA		REENTER AT	
OFFENSE (S)					COURT — INDICTMENT NUMBER — TERM					
COUNTY		REMARKS								
<input type="checkbox"/> 4. A DETAINER HAS BEEN LODGED AGAINST THIS INMATE AS FOLLOWS: (PLEASE SEE OVER)										
FROM (INCLUDING ADDRESS)					CHARGING					
DETAINDER DATE		INDICTMENT-WARRANT NOS.			REMARKS					
<input type="checkbox"/> 5. A DETAINER PREVIOUSLY LODGED AGAINST THIS INMATE HAS BEEN DROPPED AS FOLLOWS:										
FROM (INCLUDING ADDRESS)					CHARGING					
DETAINDER DATE		INDICTMENT-WARRANT NOS.			METHOD OF DISPOSITION		REMARKS			
<input type="checkbox"/> 6. YOUR APPLICATION FOR COMMUTATION HAS BEEN REVIEWED BY THE BOARD OF PARDONS, AND IT WAS:										
<input type="checkbox"/> GRANTED — SEE SECTION #2 ABOVE			<input type="checkbox"/> CONTINUED			<input type="checkbox"/> REFUSED				
<input type="checkbox"/> HELD UNDER ADVISEMENT			<input type="checkbox"/> WITHDRAWN			<input type="checkbox"/> PASSED				
<input type="checkbox"/> 7										
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> EXHIBIT <i>Herbst 2</i> </div>					<div style="border: 2px solid black; padding: 5px; display: inline-block;"> EXHIBIT <i>Kolack</i> </div>					
RECORD OFFICER'S SIGNATURE					RECORD OFFICER'S NAME					

WHITE—Inmate's Copy

PINK—DRS'S Copy

CANARY—PBP'S Copy

BLUE—DC-001423

GREEN—Institution Distribution Copy (See over)

WHITE—DC-15 IRJ Copy

11.5.1, Records Office Operations Procedures Manual
Section 1 - Processing of Reception

Revised November, 2008

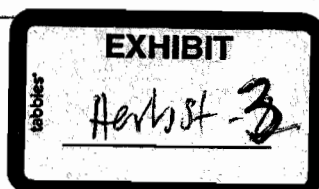
Section 1 - Processing of Reception

An inmate shall be received at the Diagnostic and Classification Center (DCC) or designated reception unit; however, a parole violator shall be received at the closest facility and transferred to the appropriate state correctional facility.

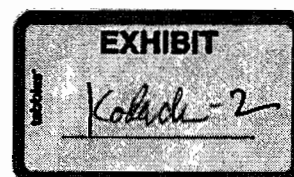
A. Initial Reception

1. When an inmate is delivered to the Department, the Records Office shall:
 - a. ensure that the committing agents are representatives of the committing authority;
 - b. collect appropriate documents relating to the reception, including, for an initial reception, the certified sentencing order **or** the DC-300B, **Court Commitment State or County Correctional Institution (Attachment 1-A)** or the county's commitment form;
 - c. review the sentencing order and/or commitment form to ensure its authenticity;¹
 - d. review the confinement order to ensure that it meets the Department's jurisdictional threshold and designates the Department as the place of confinement;
 - (1) Sentences of confinement for a period of less than two years must be served in a county prison **with the exception of 5-B transfers and for females only a proclamation county commitment.**
 - (2) Sentences of confinement for a period of between two years and five years may be served in the Department if the sentencing order designates the Department as the place of confinement.
 - (3) Sentences of confinement for a period in excess of five years must be served in the Department.
2. When an inmate whose sentence does not meet the jurisdictional threshold is received at a facility, the facility shall advise the Records **Administrator/Assistant Records Administrator** by telephone before declining the commitment. No improper commitment shall be accepted, except upon approval from the Records **Administrator/Assistant Records Administrator**. As soon as possible after accepting or refusing an improper commitment, the Records Office shall forward to the Central Office Records Coordinator a memorandum concerning the matter, including a copy of the commitment order.
3. The Records Office shall check for prior commitments to determine if the inmate was previously confined in the Department. If so, staff shall determine his/her previous Department number. Check the **Inmate Records System** to determine if the inmate's

14-4285



1-1



CONFID-DEF-000001

11.5.1, Records Office Operations Procedures Manual
Section 1 - Processing of Reception

Revised November, 2008

original maximum sentence date has expired. Listed below is necessary to determine whether the inmate's record needs to be cross-referenced:

- a. *SID numbers for both the old and new Department numbers must match for cross-referencing;*
 - b. *the personal/ID data and names associated with the previous inmate number will be displayed when the new inmate number is entered;*
 - c. *the inmate's new Department number should be entered as previous number and the inmate's previous department number entered as the new inmate number; and*
 - d. *extreme caution must be used when cross-referencing files; data cannot be un cross-referenced.*
4. Once the inmate is interviewed and the documents are reviewed and approved by the Records Office, a Department number shall be assigned to the inmate² and a DC-151A, Body Receipt (Attachment 1-B) issued to the delivering authority.
 5. The Records Office shall:
 - a. conduct a reception interview to:
 - (1) obtain basic data (birthplace, date of birth, marital status, etc.) and initiate a DC-2A, Reception Checklist (Attachment 1-C);³
 - (2) *complete a DC150B Reception Worksheet (Attachment 1-D);*
 - (3) obtain a DC-155, Legal Dispositions Form (Attachment 1-E) authorizing disposition of property and opening of mail.⁴ The form must be fully explained to the inmate. No mail shall be allowed where the inmate refuses to sign this form. The mailroom must be notified in writing of any inmate who refuses to sign. Unless a DC-155 is signed authorizing the Department to cash checks/ money orders on an inmate's behalf, the facility shall be unable to post money received from outside sources to an inmate's account. *In accordance with the DC-155, inmates will also be advised of their rights of communication and the grievance process.* The DC-155 shall be signed using the inmate's name of commitment;
 - (4) *identify Guardian of property, including the relationship to the inmate, complete address and phone number on the DC-155 for Part 2, Designation of Guardian of Property;*

² 4-4285

³ 4-4285

⁴ 4-4285

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-
- (5) **determine if the inmate was a previously required to register under Megan's Law for a 10 year period;**
 - a. **if a previously registered individual who was required to register for ten-years is returned to the custody of the Department, the running of the ten-year period will be tolled by the Pennsylvania State Police (PSP). The Department is required to notify the PSP of an individuals return to custody IAW Department policy 11.6.1 Sexually Violent Offender and Registration; and**
 - b. **notification must be made via NCIC/CLEAN using the fixed screen TEXT PSP/INMINF**
 - (6) ask the inmate if he/she has any enemies at the facility or if there are persons at the facility whom the inmate believes are a danger to him/her. This information shall be forwarded to the counselor and Security Captain.
 - b. Obtain a set of fingerprints from the inmate.⁵ Fingerprinting shall meet the requirements of the Records and Identification Division of the PSP. At a minimum, one set of fingerprints shall be placed in the **DC-15, Inmate Records Jacket**.
 - c. Place a **Dissemination of Information Form** in the **DC-15** and obtain a criminal history report in accordance with Department policy 1.1.4, "**NCIC/CLEAN.**" A **WANTED INQUIRY** must be done for each inmate upon reception to ensure he/she is not wanted in another jurisdiction.
 - (1) Examples and instructions are contained within the CLEAN Operations Manual located with each CLEAN terminal.
 - (2) It shall be noted that Only personnel who have been trained and certified by the PSP are provided with the access codes needed to enter the system. Unauthorized use is a violation of Federal law.
 - (3) Questions regarding this procedure shall be referred to the facility's CLEAN Coordinator or to the Department's CLEAN Terminal Agency Coordinator in the Office of Professional Responsibility (OPR).
 - 6. At the conclusion of the reception interview the Records Office shall make all required data entries in the Department's **Inmate Records System/DOCNET**.
 - 7. **If any court order indicates the inmate has received a Recidivism Risk Reduction Incentive (RRRI) minimum sentence, the RRRI flag must be marked in the DCC sentence data screen.**
 - 8. Within five working days of an inmate's reception, the Records Office shall:

⁵ 4-4285

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- a. organize the DC-15 according to procedures outlined in **Section 3, Filing Procedures** of this procedures manual;
 - b. notify the inmate's assigned counselor, that he/she is a registered sex offender, in accordance with Department policy 11.6.1, "Sexually Violent Offender Registration (Megan's Law); and
 - c. review commitment papers to determine Boot Camp eligibility;
- 9. All initial reception inmates' commitment orders will be sent to the Central Sentence Computation Unit (CSCU).**
- a. **CSCU will** use the commitment paper(s) to establish the sentence structure according to the **Sentence Computation Manual (Appendix A)**. Prepare a **16E, Sentence Status Summary (Attachment 1-F)** listing appropriate sentence structure and reflecting commitment name associated with the controlling sentence structure.
- NOTE:** If a subsequent commitment order(s) is received which would become the controlling sentence and the commitment name is different, then a name change shall be completed to reflect the name associated with the new controlling sentence;
- b. **CSCU will provide e-mail notification to the records office, assigned counselor. When a 16E for an RRRI case has been completed the Office of the Victim Advocate (OVA) shall be notified.**
 - c. **The original sentencing documents will be returned to the institutions and a copy will remain in the inmate's Central Folder.**
- 10. Upon notification that the DC16E has been completed and receipt of the original orders, the institutions will prepare and distribute appropriate documents to necessary departments for the Classification process (to include DC-1, Classification Summary [Attachment 1-G], DC-16D/16E, etc.);**
- 11. The inmate is to be photographed as soon as possible and in accordance with Department policy 1.3.3, "Inmate Identification Cards."⁶**
- 12. Every inmate commitment shall be reviewed for applicability of Department policy 11.6.1, "Megan's Law" and 11.6.2, "Act 185 DNA Data and Testing" as well as Act 143 of 1998, 61 P.S. §331.21 (b.1).**

B. Parole Violators (PVs)

The Pennsylvania Board of Probation and Parole (PBPP) District Office will contact the facility to notify staff that they will be returning a parole violator including, Community

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Parole Center Program (CPC["halfway back"]) and Out-of-State Parole Violators (OPV) cases.

1. The Records Office shall:

a. collect the appropriate documents relating to the reception, including:

(1) **PBPP 141, Warrant to Commit and Detain;**

(2) **PBPP 257N, Notice of Charges and Hearing;**

(3) **PBPP 257T, Technical Violation Arrest Report;**

(4) **PBPP 257C, Criminal Arrest and Disposition Report; and/or**

(5) **PBPP 227 Return of Parole Violator Report**

(6) **PBPP 257H, Summary of Adjustment.** This is forwarded to the facility Record Office prior to the first level hearing (and within 14 calendar days of the PV return for cases detained for new criminal charges when the first level hearing is conducted at the Magisterial District Justice level). The original will be filed with the items a. (1) through (45) above, and a copy will be forwarded to the inmate's counselor for inclusion in the **DC-14, Counselor File.**

b. review the confinement documents to verify their authenticity and that the inmate is properly being returned to the Department. If it appears that the parole violator is being returned to the Department improperly, the facility shall advise the Records Coordinator Administrator or Assistant Records Coordinator Administrator Central Office Records Supervisor by telephone before declining the commitment. Improper commitments shall not be accepted, except upon approval from the Records Coordinator Administrator or Assistant Records Coordinator Administrator Central Office Records Supervisor. After accepting or refusing an improper commitment, the Records Office shall forward to the Central Office Records Coordinator a memorandum concerning the matter, including a copy of the commitment documents;

c. upon verifying the commitment documents, a DC-151A shall be issued to the delivering authority;

d. conduct the reception interview as described in Subsection A.5.a. (1) - (6), above.

e. obtain a letter from the PBPP to hold the inmate past his/her maximum date, if applicable; and

f. complete and update all associated screens (personal, physical, cross-referencing, etc.) in accordance with Section 6, Inmate Records System/Movements Reports of this procedures manual;

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NOTE: If the parole violator is being returned on a commuted sentence, a letter indicating this information shall be prepared and submitted to the Pardons Case Specialist in the BIS at Central Office.

- g. if fingerprint cards for the inmate are not readily available at the facility, obtain a set of fingerprints. Fingerprinting shall meet the requirements of the Records and Identification Division of the PSP. One set of fingerprints shall be placed in the **DC-15**;
 - h. place a dissemination of information form in the **DC-15** if one is not contained therein and obtain a criminal history report in accordance with Department policy **1.1.4**. A Wanted Inquiry must be done for each inmate. Refer to **Section 1, A.** above for additional information; and
 - i. notify the Records Administrator/Assistant Records Administrator when an inmate is a PV who has a federal detainer/sentence.
2. If a parole violator is received from the PBPP at his/her paroling facility, then his/her **DC-15** shall be reactivated. If a parole violator is received at any other facility, a temporary file shall be created. At a minimum, the temporary file shall consist of the following: **PBPP 141, PBPP 257N, PBPP 257T, PBPP 257C, PBPP 257H**, fingerprints, **DC-2A, four mug shots, DC-151A, DC-155**, and any other compiled documentation. The decision whether to retain or transfer the parole violator shall be in accordance with Department policy **11.2.1, "Reception and Classification."** Procedures for transfers are outlined in **Section 2, Releases and Discharges** of this procedures manual. If the **DC-15** has been archived, then the facility that received the parole violator shall request the archived file **from technical records in BSS. Technical Records** shall forward the archived **DC-15** as requested to either the facility retaining the parole violator or to the facility to which the parole violator is transferred.
 3. If the parole violator is being returned to the Department from another state, the inmate may arrive via a transportation service. The transportation schedule may require the inmate to arrive at a Department facility after hours or on a weekend. When that occurs, the Facility Parole Supervisor/Agent shall provide the Records Office with a copy of the Board's **PBPP-141, Warrant to Commit and Detain or PBPP-61, Warrant for Arrest of Paroled Prisoner**, prior to the arrival of the prisoner. This procedure will enable parole violators to be lodged in a Department facility by transporting personnel and negate the need for Records Office staff and PBPP staff to be physically present upon the inmate's arrival. If a parole violator is expected to be returned during other than normal business hours, a **DC-151A** or Automated Body Receipt shall be prepared and provided to appropriate receiving staff. The required Records Office functions shall be performed on the following business day.

C. Out-of-State Parole Violators (OPV)

An OPV is a person who was serving a sentence in another state and has been granted parole. With prior agreement by the PBPP, the offender is permitted to move to Pennsylvania and is supervised by the PBPP. When the offender commits a

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violation he/she is returned to the Pennsylvania DOC as opposed to the sending state or a county facility. The PA DOC will continue to house such persons until they are returned to the sending state or continued on parole. NOTE – upon release of an OPV, the same procedures outlined in Section 2 of this procedures manual apply. If an OPV has pending criminal charges in any County in Pennsylvania, the offender must remain in the county facility until the matter has been disposed of. All county prison time must be served prior to PBPP returning an OPV to the DOC.

D. Community Parole Center (CPC) Program

Commonly referred to as “halfway back” is an alternative to confinement for offenders who are violating technical conditions of their supervision. Offenders will be received in the Department pending the PBPP arranging placement in the program. Reception procedures outlined in B.1- 3 will apply.

NOTE- the typical stay for “halfway back” inmates in an SCI is about one week. Upon reception of a known halfway back case, the records staff should begin to review the file for release using procedures outlined in Section 2 of this procedures manual.

E. County Prison Transfers

1. An inmate confined to a county jail may be transferred to a state correctional facility. Such transfers require Department approval. The county prison warden seeks approval for such a transfer by submitting a **DC-5B, Petition for Transfer: County Prisons (Attachment 1-H)**, along with form **DC-185, Transmittal of Data for County Prison Transfer (Attachment 1-I)**, to the Director of the BIS. He/She reviews the petition and designates a facility, if approved. The **DC-185** is sent to the receiving facility along with copies of all appropriate confinement orders and/or detainers.
2. When a county prisoner is delivered to the Department, the Records Office shall:
 - a. collect the appropriate documents relating to the reception, including the unburst **DC-5B** and applicable **Act 84** documents as outlined in this procedures manual;
 - b. review the **DC-5B** to verify its authenticity and that it has been approved by the Director, BIS. If it appears that the county prisoner is being transferred to the Department improperly, the facility shall advise the Records **Administrator/Assistant Records Administrator** by telephone before declining the transfer. An improper transfer shall NOT be accepted, except upon approval from the Records **Administrator/Assistant Records Administrator**. As soon as possible after accepting or refusing an improper transfer, the Records Office shall forward to the Central Office Records **Administrator** a memorandum concerning the matter including a copy of the relevant documents;
 - c. upon verifying the transfer documents, a Department inmate number shall be assigned and a **DC-151A** issued to the delivering authority.
 - d. conduct the reception interview, as described in **Subsection A., 5-8**, above.

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F. Return from Authorized Temporary Absence (ATA)

1. The Records Office staff shall:
 - a. prepare a **DC-151A** and meet the transporting authorities in the reception area to obtain their signatures. The **DC-151A** shall be signed and dated along with the time of arrival. The signed **DC-151A** is filed in the **DC-15** per the filing procedures outlined in **Section 3** of this procedures manual;
 - b. closely review any court commitments or other documents delivered by the transporting authority to determine if the inmate's sentence structure must be changed or if his custody level should be reviewed. Any documents delivered by the transporting authority must be processed in accordance with procedures outlined in the **Sentence Computation Manual (Appendix A)** or **Section 5, Detainers** of this procedures manual;
 - c. make all required entries in the Inmate Records System within two hours. After hours receptions must be done immediately on the next working day.;
 - d. ask the inmate if he/she has any enemies at the facility or if there are persons at the facility whom the inmate believes are a danger to him/her. This information shall be forwarded to the respective counselor and Security Captain;
 - e. if any of the inmate's responses to the questions or the inmate's actions indicate that the inmate is suffering from an active mental health issue, the inmate shall be referred to the Psychology Department.
2. Records Office Staff are responsible for monitoring the status of ATA inmates. If the inmate is not returned to the facility within three months, the Inmate Records Office shall contact the receiving authority to determine the status of the case. If the inmate has been released by the receiving authority or otherwise, the procedures outlined in **Section 2** of this procedures manual shall be followed.

NOTE: if the inmate was released in error by the receiving authorities immediately notify the Records Administrator/Assistant Records Administrator.

3. Every inmate returning from ATA shall be reviewed for **new convictions** in accordance with **Department policy 11.6.1, 11.6.2**, as well as **Act 143 of 1998**.

G. Inter-Facility Transfer

1. The Inmate Records Supervisor/designee is responsible to monitor the van schedule generated by the Automated Transfer Petition and Transportation systems weekly to determine whether an inmate is to be transferred to or from the facility.
2. When an inmate is transferred from one Department facility to another Department facility, upon reception, the transporting officers shall present a **DC-151A** for each inmate. (NOTE: Multiple inmates can be placed on one **DC-151A** if the destination is the

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same for all). Photo(s) shall be attached *if not already on the DC151A*. The Reception Officer shall review/identify each inmate and process the DC-151A. The original shall be retained and forwarded to the Inmate Records Office. The Reception Officer shall also ensure that an Inmate Record has been received for each inmate.

3. Upon completion of the **DC-151A** processing, the Inmate Record Office of the facility receiving the inmate shall:⁷
 - a. examine the **DC-151A** to identify each inmate received and acknowledge receipt of the inmate by signing the **DC-151A**;
 - b. if a DC-15 is not received with the inmate, the Inmate Records Office shall contact the transferring facility, and arrange for the sending facility to send the record to the receiving facility;⁸
 - c. b. distribute the inmate records to the appropriate departments as needed;
 - d. upon completion of review by the Initial Reception Committee and the inmate's medical screening, verify that the inmate's photograph is in accordance with Department policy 1.3.3 and Subsection A. above;
 - e. review the inmate's sentence structure for possible release processing;
 - f. place a copy of the Transfer Petition and Routing Sheet in the **DC-15** in accordance with **Section 3** of this procedures manual; and
 - g. determine if the inmate is subject to Department policy 11.6.1, 11.6.2, as well as Act 143 of 1998.

H. Detentioners

1. A Detentioner is an inmate who is in the Department's custody in one of the following situations:
 - a. the inmate has satisfied his/her state sentence and is being held on another jurisdiction's detainer pending transfer to the other jurisdiction;
 - b. the inmate has been transferred from a county jail to a state correctional facility prior to the imposition of a sentence or the sentence was ordered to be served in the county jail;
 - c. the inmate has been transferred to the Department for a psychiatric evaluation prior to the imposition of sentence as an aid in imposing sentence; or

⁷ 2-CO-1E-04

⁸ 4-4096

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- d. the inmate has been transferred from a county to the Forensic Treatment Center at SCI-Waymart as the result of a commitment under the Mental Health Procedures Act.
 - e. *The inmate has been referred to the DOC for evaluation for the SIP program.*
- 2. A DC-5B and a DC-185 form must be completed for an inmate in categories F. 1. b., above and a certified copy of the detainer or confinement order obtained. Only the Mental Health Procedures Act commitment is required for an inmate in category F. 1. d., above.
 - 3. Every procedure for **Initial Receptions (Subsection A. above)** shall be followed when a detentioner is transferred to the Department.
 - 4. Refer to **Subsection M.4.** below for procedures to process an inmate being returned to Pennsylvania as a detentioner and not an added escape.

I. Interstate Corrections Compact (ICC) Receptions

- 1. An ICC case from another state shall be received at the DCC and processed as an initial reception EXCEPT:
 - a. collecting the appropriate documents. The sending state shall provide acceptance letter and confinement orders;
 - b. previewing for DNA criteria; and (any PA conviction will require DNA to be done)
 - c. establishing sentence structure.
- 2. Make all data entries in the Inmate Records System to include that a reception is reported as an ADD, OS as the population movement code. Use the standard alpha code to identify the state from which the inmate was received. Report OS as the Court on Line 5. OS shall be used to identify this inmate as an out of state ICC case. NOTE: A PA SID may not be available in these cases.

J. ICC Inmates from Other States

- 1. All documentation between Pennsylvania and the sending state must go through the Central Office Records Administrator.
- 2. All major incidents (i.e., death, attempted suicide, commission of a crime, misconduct, move to a MHU, SMU, or SNU, etc.) are to be reported immediately to the Central Office Records Administrator. If the Central Office Records Administrator is not available, it is to be reported to the Assistant Records Administrator. It is the responsibility of the Central Office Records Administrator to notify the Secretary/designee and the sending state of these types of occurrences.

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3. The Central Office Records Administrator/designee shall complete a progress report every six months on every inmate sent to the Department from another state. The progress report shall be sent to the Records Administrator of the sending state, and a copy of the progress report shall be kept in the Central Office Records Division.
4. All requests for pre-release must go through the Central Office Records Administrator. The facility should forward the approved Pre-Release Packet to the Central Office Records Administrator who will in turn request approval from the sending state. Once approval from the sending state is received, the packet will be forwarded to the Secretary/designee for final approval unless the inmate is considered problematic. In problematic cases, the Central Office Records Administrator will forward the packet to the Regional Deputy Secretary for review who will then forward the packet to the Secretary/designee for final approval.
5. If important documents (i.e., release orders, etc.) are received at the facility without going through the Central Office Records Administrator, the Central Office Records Administrator must be notified immediately and the documents forwarded via fax

K. Bail Returns

1. A bail return is the result of re-sentencing and may return directly to the releasing facility.
2. A bail return is processed the same as an initial reception except for the following:
 - a. the appropriate record shall be restored in the **Inmate Records System** instead of assigning a new Department number; and
 - b. all physical and personal data (marital status, next of kin, etc.) shall be reviewed and updated, if necessary.
3. Consider the need to update photos depending on length of time the inmate was on bail, if there has been a change to appearance, etc.
4. Compute new sentence structure according to the Sentence Computation Manual.

L. Return of Inmate Following Retrial or Re-sentence

1. A retried or re-sentenced case is not to be treated as a new commitment and *is* not entered under a new Department number. He/She is processed the same as an initial reception except for the following:
 - a. the appropriate record shall be restored in the **Inmate Records System**;
 - b. all physical and personal data (marital status, next of kin, etc.) shall be reviewed and updated, if necessary; and

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- c. such a case is to have his/her sentence recomputed ***using DOCNET sentence computation program with the appropriate basis for computation listed.***

M. Escape Returns

1. Once the detaining authority contacts the state correctional facility from which the inmate escaped and indicates the date that the subject is available for pick up.
 - a. for every in-state and out-of-state return contact the Bureau of Standards, Practices, and Security; and
 - b. instructions regarding the Return of Apprehended Escapees as outlined in Department policy 6.3.1, Section 13 shall be followed.
2. An escape return is processed the same as an initial reception except for the following:
 - a. the appropriate record shall be restored in the **Inmate Records System** instead of assigning a new Department number;
 - b. all physical and personal data (marital status, next of kin, etc.) shall be reviewed and updated, if necessary;
 - c. the inmate photos shall be updated depending on the length of time the inmate was ***at large or absent***, if there has been a change to appearance, etc.;
 - d. calculate escape time according to the sentence computation section of this policy;
 - e. research and resolve issues relating to any detainers or open charges; and
 - f. a returned escapee is given notice that the Department is recalculating his/her sentence by using **(Attachment 1- J)** and he/she has 15 days from the date of the notice to challenge the recalculation. **Calculations are challenged by the inmate via PRC.**
3. When an inmate escapes from a CCC, charges for the escape are filed by the District Attorney in the county where the CCC is located. When the inmate commits a new crime in another jurisdiction (Federal or other state) he/she is tried and sentenced to a prison in that other jurisdiction. The Pennsylvania District Attorney files a detainer for the new escape charges and the Department files a detainer for the inmate to return to Pennsylvania to complete his/her unsatisfied sentence. The inmate or the Pennsylvania District Attorney files under the Interstate Agreement on Detainers (IAD) to resolve the open charges (new escape charge). The Bureau of Standards and Practices will arrange for the transportation for the inmate to return to Pennsylvania.
4. In the scenario listed above only, some District Attorneys will not prosecute for the new escape charge unless the Department pays the cost of transportation ***of the inmate*** to return to Pennsylvania and for the housing for the new charges. The Department has

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agreed to do this. When this occurs and the Department has received the inmate, the following procedure will be used to process the inmate:

- a. the inmate is here as a detentioner, not as an added escapee;
 - b. add the inmate as a detentioner with a new number and cross reference it with the old number;
 - c. the inmate will remain in escape status on the old number and the escape time is still accumulating;
 - d. when the inmate has completed the criminal proceedings on the new escape charges, he/she must be returned to the sending state to complete the sentence he/she is serving;
 - e. the Bureau of Standards, Practices and Security must be contacted to arrange the return of the inmate to the sending state; and
 - f. the delete move will be release detentioner.
5. The escape time for the Pennsylvania sentence that the inmate escaped from does not stop until the inmate has been permanently released from the other state (parole or maximum) and is available to be transported back to Pennsylvania to start serving the completion of his/her original sentence.

6. Escape Time Scenarios

- a. ***Escape from DOC custody, no charges, escape time will be from date of escape to IC, In Custody date.***
- b. ***Escape from DOC custody, new escape charge only, escape time will be date of escape to return to DOC custody. The IC date to the date of return to DOC custody will be credit on the new escape charge IF ordered by the county. If not, the escape time must be corrected and recalculated as outlined in a. above.***
- c. ***Escape from DOC custody, new criminal charges; escape time is calculated as outlined in b. above.***
- d. ***Escape from DOC custody, new criminal charges out of state, the inmate is continued on escape status until completion of the other authority's sentence.***

N. CCC Returns

1. A CCC return results when an inmate with pre-release status (and who has been placed in a CCC) violates the conditions of the pre-release program and is returned to the Support Facility. The only exceptions to this are female resident's detained pending return to a female facility. An inmate may be returned directly from the CCC or via a

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county prison. The Records Office staff issues a **DC-151A** upon arrival of the inmate and collects appropriate documents to include **DC-7X, Temporary Transfer Information (Attachment 1-K)**, detainer (if applicable), misconducts (if applicable), etc.

2. Consider the need to update photos.
3. Support Facility's Records Office staff shall research and resolve issues relating to any open charges or escapes.
4. It shall be the responsibility of appropriate staff at the Support Facility to determine if the individual remains at the facility or shall be permanently transferred back to the Parent Facility.
5. If the decision is to return the inmate to the Parent Facility, a computerized transfer petition shall be generated. When appropriate, the inmate shall be processed for transfer in accordance with Section 2 of this procedures manual.
6. If the CCC Return is due to escape, calculate escape time according to the Sentence Computation Manual.

O. Proclamation Counties

1. ***The Department can accept female inmates to serve county sentences in the Department from Proclamation counties; based on former Governor Thornburgh's proclamation of April 8, 1986 permitting female prisoners sentenced in Allegheny, Armstrong, Beaver, Butler, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Venango, Warren, Washington, and Westmoreland to be housed at SCI Muncy.***
2. The Department shall accept the inmate and process her for service of her sentence in accordance with the procedures outlined in **Subsection A.**, above. ***Upon completion of processing at the DCC, an inmate may be transferred to*** another facility if deemed appropriate. The Records Office Staff is responsible to maintain a suspense time file in order to ensure that the inmate is processed for county parole in accordance with the established minimum, and/or released at completion of the maximum sentence.

P. Inmates Who Regularly Use Names Different from the Name on the Commitment Form

1. An inmate, who has made a permanent legal change in his/her name, so that it differs from the commitment name, may submit a request to the Facility Manager for permission to use the new name for limited purposes. This request must include the reason(s) why the inmate wishes to use the new name.
2. The Facility Manager shall review and grant permission for limited use of the name if the name was changed for legitimate reasons. Legitimate reasons shall include changes

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because of change in marital status, religious reasons, and ethnic identification. Only permanent changes will be approved. Multiple changes will not be honored.

3. The Facility Manager shall notify the inmate of his/her decision on the request to use the new name. If the request is approved, the Facility Manager shall inform the inmate in writing of the permitted uses of the new name. The Facility Manager shall advise the inmate that the approved new name may not be used to mislead or commit fraud and that abuse of the guidelines established for this procedure may result in withdrawal of approval to use the new name. If this request is disapproved, the Facility Manager shall explain the reasons for disapproval.
4. The facility is not required to permit an inmate to use a new name, which has not been approved by these procedures.
5. The new name shall be added to the inmate's records as an AKA (also known as). No Department records will be changed absent a court order specifically directing that the records be changed. If such an order is issued, it shall be referred to the Office of Chief Counsel for review. This type of change will not be handled pursuant to the procedures established here. A court order authorizing and ordering a change of name does not automatically mandate changes in existing records.
6. ***When an inmate changes his/her name, the Records Office shall notify the Office of Victim Advocate (OVA) and the Parole Supervisor at the facility.***
7. The inmate must continue to respond when addressed by his/her commitment name and to sign the commitment name for all purposes except those listed below:
 - a. a visitor may identify the inmate he/she wishes to visit by using the approved new name;
 - b. the inmate may execute a **DC-155, Section 1 Power of Attorney**, authorizing the receipt of mail and endorsement of checks in the approved new name. A notation shall be made on the second form indicating this form does not supersede the **DC-155** under the commitment name, but is only additional authorization;
 - c. after the execution of the new power of attorney form the inmate may receive and send mail, packages, and publications using the approved new name. The inmate may also receive checks and money orders addressed in the approved new name;
 - d. it is the inmate's responsibility to advise any person who wishes to use the approved new name for the purposes described above that he/she must, whenever using the new name, also provide other data; inmate number and commitment name, so that the facility can identify the inmate. A visitor, correspondence, and publication that does not present or contain data sufficient to identify the inmate may be disapproved; and
 - e. it is the inmate's responsibility to change his/her name on his/her social security card. Form SS-5 (See Department policy 7.2.1, "**Counseling Services,**" **Section 2,**

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Revised November, 2008

Attachment 2-B) is to be used for a name change. A new card will be issued with the inmate's original social security number. A new number is not issued for a name change. The inmate will have to send the original Court Order that grants the legal name change with the application for name change. Photocopies or notarized copies of documents are not accepted.

8. An inmate must be issued and charged for the replacement ID Card when there has been an authorized name change **in accordance with Department policy 1.3.3, "Inmate Identification Cards."**
9. The inmate shall be charged ten dollars (\$10) for a new fingerprint card that is required for a name change.
10. Abuse by the inmate of any of these guidelines shall be treated as disobedience of a direct order, and may be grounds for revocation of permission to use the new name, and for disciplinary action.

An inmate may appeal a decision pursuant to these procedures to the Secretary. Exceptions to this procedure shall be made only with the approval of the Secretary.

DC-300B (PART IV) *For Use with Recidivism Risk Reduction Incentive (RRRI) Rev. 5/08 <div style="text-align: center;"> COURT COMMITMENT STATE OR COUNTY CORRECTIONAL INSTITUTION Commonwealth of Pennsylvania vs. </div>				<div style="text-align: center;"> Type or Print Legibly COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS BOX 598 CAMP HILL, PA. 17001-0598 ATTN: CENTRAL OFFICE RECORDS </div> <div style="text-align: center; margin-top: 10px;"> NOTE: Additional supply of this form available at above address </div>			
COMMITMENT NAME (LAST, FIRST, INITIAL, SUFFIX) _____				<input type="checkbox"/> DC-300B (PART V) for additional RRRI sentences attached			
SEX	Date of Birth	SID	OTN	COURT OF INITIAL JURISDICTION	<input type="checkbox"/>	COMMON PLEAS	<input type="checkbox"/>
<input type="checkbox"/> F <input type="checkbox"/> M							
COMMITTING COUNTY				COURT NUMBER		DATE -TERM	
MANDATORY SENTENCE		<input type="checkbox"/> Yes <input type="checkbox"/> No	COUNTY REFERENCE #:				
BOOT CAMP RECOMMENDED		<input type="checkbox"/> Yes <input type="checkbox"/> No					
RECIDIVISM RISK REDUCTION INCENTIVE (RRRI)		<input type="checkbox"/> Yes <input type="checkbox"/> No					
RECIDIVISM RISK REDUCTION INCENTIVE (RRRI) WAIVER GRANTED		<input type="checkbox"/> Yes <input type="checkbox"/> No					
The above defendant after		<input type="checkbox"/> Pleading guilty	<input type="checkbox"/> Nolo contendere	<input type="checkbox"/> Alford	<input type="checkbox"/> Being found guilty	<input type="checkbox"/> GBMI	
was on _____, _____, sentenced by Judge _____ to an original term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, and a RRRI term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, or _____ for the offense of _____ (Section _____ of the Crimes Code) or (other statute) _____. It is further ordered that the said defendant be delivered by the proper authority to and treated as the law directs at the _____ facility located at _____.							
Fine:		Cost:		Restitution:			
Amount \$ _____		Amount \$ _____		Amount \$ _____			
Balance \$ _____		Balance \$ _____		Balance \$ _____			
CREDIT FOR TIME SERVED (EXPLANATION OF CREDIT COMPUTATION ON REVERSE SIDE)						EFFECTIVE DATE OF SENTENCE	
THIS SENTENCE IS CONCURRENT WITH:							
THIS SENTENCE IS CONSECUTIVE TO:							
PROSECUTING ATTORNEY				DISPOSITION ON NON-INCARCERATION OFFENSE(S)			
DEFENSE ATTORNEY							
COURT REPORTER							
				(THIS BLOCK NOT TO BE USED FOR INCARCERATION OFFENSE)			
(SEAL)				In witness, whereof I have hereunto set my hand and seal of said court, this _____ day of _____, _____. <div style="text-align: center; margin-top: 20px;"> _____ AUTHORIZED SIGNATURE </div>			

**11.5.1, Records Office Operations Procedures Manual
Section 1 – Processing of Receptions**

DC-300B (PART V) *For Use with Recidivism Risk Reduction Incentive (RRRI) Rev. 5/08 <div style="text-align: center;"> COURT COMMITMENT CONTINUATION SHEET STATE OR COUNTY CORRECTIONAL INSTITUTION Commonwealth of Pennsylvania vs. </div>				<div style="text-align: center;"> Type or Print Legibly COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS BOX 598 CAMP HILL, PA. 17001-0598 Attn: Central Office Records </div>	
COMMITMENT NAME (LAST, FIRST, INITIAL, SUFFIX)					
COURT NUMBER		OFFENSE TRACKING NUMBER (OTN)		COUNTY REFERENCE #:	
MANDATORY SENTENCE:	<input type="checkbox"/> Yes <input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI)		<input type="checkbox"/> Yes <input type="checkbox"/> No	
BOOT CAMP RECOMMENDED	<input type="checkbox"/> Yes <input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI) WAIVER GRANTED		<input type="checkbox"/> Yes <input type="checkbox"/> No	
The above defendant after	<input type="checkbox"/> Pleading guilty	<input type="checkbox"/> Nolo contendere	<input type="checkbox"/> Alford	<input type="checkbox"/> Being found guilty	<input type="checkbox"/> GBMI
was on _____, sentenced by Judge _____ to an original term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, and a RRRI term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, or _____ for the offense of _____ (Section _____ of the Crimes Code) or (other statute) It is further ordered that the said defendant be delivered by the proper authority to and treated as the law directs at the _____ facility located at _____.					
Fine: Amount \$ _____ Balance \$ _____		Cost: Amount \$ _____ Balance \$ _____		Restitution: Amount \$ _____ Balance \$ _____	
CREDIT FOR TIME SERVED			EFFECTIVE DATE OF SENTENCE		
THIS SENTENCE IS CONCURRENT WITH:					
THIS SENTENCE IS CONSECUTIVE TO:					
COURT NUMBER		OFFENSE TRACKING NUMBER (OTN)			
MANDATORY SENTENCE:	<input type="checkbox"/> Yes <input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI)		<input type="checkbox"/> Yes <input type="checkbox"/> No	
BOOT CAMP RECOMMENDED	<input type="checkbox"/> Yes <input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI) WAIVER GRANTED		<input type="checkbox"/> Yes <input type="checkbox"/> No	
The above defendant after	<input type="checkbox"/> Pleading guilty	<input type="checkbox"/> Nolo contendere	<input type="checkbox"/> Alford	<input type="checkbox"/> Being found guilty	<input type="checkbox"/> GBMI
was on _____, sentenced by Judge _____ to an original term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, and a RRRI term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, or _____ for the offense of _____ (Section _____ of the Crimes Code) or (other statute) It is further ordered that the said defendant be delivered by the proper authority to and treated as the law directs at the _____ facility located at _____.					
Fine: Amount \$ _____ Balance \$ _____		Cost: Amount \$ _____ Balance \$ _____		Restitution: Amount \$ _____ Balance \$ _____	
CREDIT FOR TIME SERVED			EFFECTIVE DATE OF SENTENCE		
THIS SENTENCE IS CONCURRENT WITH:					
THIS SENTENCE IS CONSECUTIVE TO:					
(SEAL)			In witness to the above sentence(s) for offense(s) as well as those found on the reverse side of this document, I hereunto set my hand and seal of said court, this _____ day of _____, _____. <div style="text-align: right;"> Authorized Signature CONFID-DEF-000019 </div>		

COURT NUMBER		OFFENSE TRACKING NUMBER (OTN)		COUNTY REFERENCE #:	
MANDATORY SENTENCE:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
BOOT CAMP RECOMMENDED	<input type="checkbox"/> Yes	<input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI) WAIVER GRANTED	<input type="checkbox"/> Yes	<input type="checkbox"/> No
The above defendant after		<input type="checkbox"/> Pleading guilty	<input type="checkbox"/> Nolo contendre	<input type="checkbox"/> Alford	<input type="checkbox"/> Being found guilty
was on _____, sentenced by Judge _____ to an original term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, and a RRRI term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, or _____ for the offense of _____ (Section _____ of the Crimes Code) or (other statute) _____. It is further ordered that the said defendant be delivered by the proper authority to and treated as the law directs at the _____ facility located at _____.					
Restitution: Amount \$ _____ Balance \$ _____		Restitution: Amount \$ _____ Balance \$ _____		Restitution: Amount \$ _____ Balance \$ _____	
CREDIT FOR TIME SERVED			EFFECTIVE DATE OF SENTENCE		
THIS SENTENCE IS CONCURRENT WITH:					
THIS SENTENCE IS CONSECUTIVE TO:					

COURT NUMBER		OFFENSE TRACKING NUMBER (OTN)		COUNTY REFERENCE #:	
MANDATORY SENTENCE:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
BOOT CAMP RECOMMENDED	<input type="checkbox"/> Yes	<input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI) WAIVER GRANTED	<input type="checkbox"/> Yes	<input type="checkbox"/> No
The above defendant after		<input type="checkbox"/> Pleading guilty	<input type="checkbox"/> Nolo contendre	<input type="checkbox"/> Alford	<input type="checkbox"/> Being found guilty
was on _____, sentenced by Judge _____ to an original term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, and a RRRI term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, or _____ for the offense of _____ (Section _____ of the Crimes Code) or (other statute) _____. It is further ordered that the said defendant be delivered by the proper authority to and treated as the law directs at the _____ facility located at _____.					
Restitution: Amount \$ _____ Balance \$ _____		Restitution: Amount \$ _____ Balance \$ _____		Restitution: Amount \$ _____ Balance \$ _____	
CREDIT FOR TIME SERVED			EFFECTIVE DATE OF SENTENCE		
THIS SENTENCE IS CONCURRENT WITH:					
THIS SENTENCE IS CONSECUTIVE TO:					

COURT NUMBER		OFFENSE TRACKING NUMBER (OTN)		COUNTY REFERENCE #:	
MANDATORY SENTENCE:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
BOOT CAMP RECOMMENDED	<input type="checkbox"/> Yes	<input type="checkbox"/> No	RECIDIVISM RISK REDUCTION INCENTIVE (RRRI) WAIVER GRANTED	<input type="checkbox"/> Yes	<input type="checkbox"/> No
The above defendant after		<input type="checkbox"/> Pleading guilty	<input type="checkbox"/> Nolo contendre	<input type="checkbox"/> Alford	<input type="checkbox"/> Being found guilty
was on _____, sentenced by Judge _____ to an original term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, and a RRRI term of not less than _____ years, _____ months, _____ days nor more than _____ years, _____ months, _____ days, or _____ for the offense of _____ (Section _____ of the Crimes Code) or (other statute) _____. It is further ordered that the said defendant be delivered by the proper authority to and treated as the law directs at the _____ facility located at _____.					
Fine: Amount \$ _____ Balance \$ _____		Cost: Amount \$ _____ Balance \$ _____		Restitution: Amount \$ _____ Balance \$ _____	
CREDIT FOR TIME SERVED			EFFECTIVE DATE OF SENTENCE		
THIS SENTENCE IS CONCURRENT WITH:			THIS SENTENCE IS CONSECUTIVE TO:		

Department of Corrections

BODY RECEIPT

Receipt Date	Receipt Time	Agency	
<input type="text"/>	<input type="text"/>	Dept of Correction	
Received From	Title	Institution	Authority
<input type="text"/>	<input type="text"/>	Other <input type="text"/>	<input type="text"/>
(Select 'Other' from Institution to print any other Authority in adjacent box)			

Enter up to 30 inmate numbers

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Comments: (Max 300 characters)

300

characters left

<input type="text"/>
<input type="text"/>
<input type="text"/>

☐ To Detainer ☐ Confinement Papers ☐ RA ☐ Court Writ-ATA

☐ 7X given To Sherriff ☐ Other (Specify)

Received By

Title

Agency

Generate

DC- <div style="text-align: center; font-weight: bold; font-size: 1.2em;">BODY RECEIPT</div>		<div style="text-align: center; font-weight: bold;">COMMONWEALTH OF PENNSYLVANIA</div>	
DATE	TIME	A.M. P.M.	INSTITUTION
RECEIVED FROM	TITLE		AGENCY
PRISONER(S)			
<div style="display: flex; justify-content: space-around; align-items: center;"> To Detain Court Writ-ATA DC-16D Photocopy Given to </div>			
<input type="checkbox"/> Confinement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> RA
OTHER (SPECIFY)			
RECEIVED BY - SIGNATURE		TITLE	AGENCY

DC-2A		DIAGNOSTIC-CLASSIFICATION REPORT RECEPTION CHECKLIST		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS		
DC Number	NAME	LOCATION	RECEIVED FROM	DATE	TIME	
OBSERVATION AND COMMITMENT INFORMATION					Yes	No
1. Obvious pain, bleeding?					_____	_____
2. Wearing medical tags?					_____	_____
3. Skin in poor condition (wounds, rash, vermin, swelling)?					_____	_____
4. Wearing prostheses (artificial limb)?					_____	_____
5. Carrying medication?					_____	_____
6. Signs of illness (eyes glassy, bloodshot, pupils dilated or constricted)?					_____	_____
7. Signs of possible mental disturbance (confused, anxious, disoriented, fearful, exaggerated body movements, slow or rapid, rigidity, unusually tense or suspicious)?					_____	_____
8. Signs of possible intoxication-alcohol or drugs (rapid, shallow breathing, staggering, dizziness, tremors, thick, slurred speech)?					_____	_____
9. Signs of possible suicide (depression, fear, scars suggesting suicide attempts, history of suicide attempts/threats, expressed intent)?					_____	_____
10. Signs of assaultiveness (verbally abusive, uncooperative, threatening, history of violence)?					_____	_____
11. Escape history, including attempts or threats?					_____	_____
12. Separations necessary?					_____	_____
13. Any other problems?					_____	_____
Prev. DC#s _____						
Observation concerning the inmate during reception processing?			KEEP INMATE SEPARATED FROM _____			
MEDICAL OFFICER: Perform medical screening. If not medically cleared, take appropriate action. If cleared for other housing, indicate restrictions by checking appropriate spaces below and list any special observations to be made by officers.						
Preliminary Medical Screening Remarks _____						
Indicate recommended housing for initial placement following medical clearance:						
	Receiving Officer	Medical Officer				
General DDC	_____	_____				
Administrative Custody	_____	_____				
Ground Floor (medical recommendation)	N/A	_____	Signature - Receiving Officer _____			
Close Observation (Behavior/Medical)	_____	_____				
Protective Custody	_____	N/A				
Self-Confine	_____	N/A	Signature - Medical Officer _____			
If yes is answered to the following questions, make immediate referral as indicated:		Special Observation Instructions:				
Question Numbers	Who					
1 through 6	Medical Department					
7 through 11	Psychiatrist/Psychologist					
12	Counselor/Ranking Officer					
13	Personnel Appropriate for Stated Problem	Immediate referral to _____				

WHITE DC-15

CANARY Referral #1

PINK Referral #2

GOLDENROD Housing Unit

DC-150B (revised 8/98) RECEPTION WORKSHEET			COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS		
DC NUMBER	PBPP NUMBER	Commitment Name		Institution SMI	Date
Aliases				Race	Sex
Age	DOB	POB	Religion	Marital Status	
Height	Weight	Build	Color Eyes	Color Hair	Complexion
Legal Address			Arrest Address		
Military Service		Serial No.	Dates of Service	Type of Discharge	
Social Security No.		USINS No.	Selective Service No.	FBI No.	
Marks and Scars (ID Body Inspection)					
Method of Reception	Committing County	Plea	Prosecuting Police Dept.	Quarters Assignment	
Reception Steps			Date	Official's Signature	
1. Deliverance of prisoners, examination of commitment papers, DC-151A issued					
2. Removal of valuables (DC-152 issued)					
3. Removal of personal clothing					
4. Photographing and fingerprinting					
5. Reception interview (DC-155 issued)					
6. Preliminary Medical Examination					
A. Information to be received for a Reception from a County Facility					
(1) Court Commitment Order					
(2) Record of Institutional Adjustment (include misconduct and escape history)					
(3) Written notice of current medical or psychological conditions regarding treatment (include suicide attempts)					
(4) Written notice of current or previously ordered/administered medications					
(5) A forty-eight (48) hour supply of medication(s).					
B. Information to be received within twenty (20) days of reception					
(1) PSI or official version of the crime or guilty pleas transcript or colloquy or preliminary hearing transcript or docket transcript form					
(2) Criminal complaint or affidavit of probable cause accompanying The arrest warrant					
(3) Police report summarizing the facts of crime, when available					
(4) Guideline Sentence Form issued by the PA Sentencing Commission					
(5) Record of any monies paid by the inmate and any balance remaining towards satisfaction of restitution or any other court ordered financial obligations.					
C. Reception from PBPP					
(1) Warrant to Commit and Detain (PBPP-141)					
(2) Notice of charges of Hearing (PBPP)					
(3) 257AR Report					

NOTIFY INCASE OF ILLNESS OR DEATH:

NAME:

RELATIONSHIP:

ADDRESS:

PHONE #

DC-155
Rev. 1/05**LEGAL DISPOSITIONS**

(Facility)

**COMMONWEALTH OF PENNSYLVANIA
Department of Corrections****1. POWER OF ATTORNEY**

I, (print inmate's name and number) _____, do make, constitute, and appoint the Facility Manager/Director, or his/her authorized representative, of any facility or center within the Department of Corrections to which I am then confined my true and lawful attorney for me and in my name to sign my name as endorsement of all checks, money orders, or bank drafts for deposit to my credit in the Inmate General Welfare Fund Cash Account and to receive and document receipt of mail on my behalf. This power shall continue so long as I am an inmate of any facility or center within the Department of Corrections and shall not be affected by my subsequent disability or incapacity while confined therein unless sooner revoked. This power shall be for the doing of all lawful acts necessary to carry out the purposes set forth above. I hereby ratify, confirm, and intend to be bound by any and all acts, as described in the previous sentence, which these attorneys or substitutes shall commit pursuant to this power of attorney.

Witnessed by: _____

Inmate's
Signature: _____

Witnessed by: _____

2. DESIGNATION OF GUARDIAN OF PROPERTY

I, (print inmate's name and number) _____, hereby designate
(print guardian's name) _____, who lives at (print street address)

_____, (print city or town) _____,
(print county) _____ (print state) _____, (postal zip code) _____, telephone

() _____ as the guardian of all property to which I hold lawful title at the time of my death which is either in my personal possession or in one of the facilities or an account of the Department of Corrections to hold until such property shall be disposed of according to law. This designation shall be null, void and of no further effect upon my release from the jurisdiction of the Department of Corrections.

Inmate's Signature_____
Date_____
Witness_____
Date_____
Witness_____
Date**3. ADVISEMENT OF RIGHT OF COMMUNICATION**

If any problem arises within the facility concerning your confinement, you may bring the matter to the attention of the appropriate staff members for assistance. The Inmate Grievance System may be used if applicable. In addition, you may address privileged communication at any time to the Facility Manager, the Regional Deputy Secretary of Corrections, the Secretary of Corrections, the Attorney General, the Governor, or any elected local official or any appointed or elected state or federal official. This is not to be construed as limiting your access to the courts in any way. I have read or have been read the following advisement and hereby acknowledge receipt thereof.

Inmate's Signature_____
Witness_____
Date



**COMMONWEALTH OF PENNSYLVANIA
DC16E – SENTENCE STATUS SUMMARY DEPARTMENT OF CORRECTIONS**

Name:

Inmate #:

1. REFERENCES AND IDENTIFICATION

DOC #	Commitment Name	PBPP #	SID #	FBI #	Phila Photo #
DOB	Place of Birth			Race	Sex

2. SENTENCE SUMMARY (RRRI)

Sent Date	County/State/Federal	Indictments	Sent Type	Minimum			Maximum		
				Y	M	D	Y	M	D
Plea:		OTN:	Judge:						
Offense:									RRRI

Reception Date		Reentered from DOC #	
Controlling Minimum Date		New Maximum – PV	
Controlling Maximum Date		True Minimum Expiry Date	
RRRI Minimum Expiry Date			

Summary or Remarks on Sentence

Remarks	
---------	--

3. SENTENCE STRUCTURE

Commitment Credit	
-------------------	--

Remarks	
---------	--

Bail/Escapes/Interruption Time Date	
None	

Name:

Inmate #:

3. SENTENCE STRUCTURE (Cont'd)

Item	Computation 2			
Indictments Included				
Eff Date				
Expiration of Minimum				
Expiration of Maximum				
Custody for Return – PV				
Delinquent Time				
Backtime Credit				
Backtime Owned				
New Maximum – PV				
Sentence Computation Date				
Basis for Computation				
Total Sentence				
Status				

Name:

Inmate #:

4. NON-INCARCERATED OFFENSES

Sent Date	County/State/Federal	Indictments
None		

Comments

5. DETAINERS

Active Detainers					
Detainer #	Date	Agency	Agency Identification	OTN	Type
Charges					

Deleted Detainers (For those deleted since last DC16)					
Detainer #	Date Deleted	Agency	Agency Identification	OTN	Type
None					
Remarks					

6. PRIOR DOC NUMBERS

None									
------	--	--	--	--	--	--	--	--	--

6. ACTIONS: BOARD OF PARDONS

Decision Date	File Number	Action	Comments

PA Dept. of Corrections
Time:DC1 Face Sheet
*Confidential*Date: 11/12/2008
Page: 1Initial () Parole Violator () Continuation () Update ()
DOC # SID # PBPP # Name Institution

		Race	Sex	Date of Birth
		Height	Weight	Eyes
		Complexion	Build	Marital Status
		SSN #	Religion	
		Problematic Offenses		
Custody Level		Program Codes		

Problem Area:

Assault: _____

Alcohol: _____

V = Verified

Escape: _____

NV = Not Verified

Drugs: _____

Suicide: _____

Sexual: _____

Psychiatric: _____

Recomputed PV Max Date:

Factored Sentences

Expiration Date

Minimum:

Maximum:

Priors:

Detainers: Yes/No

More Sentences: Yes/No

Legal Address:

Notify Address:

Scars, Marks, Tattoos:

Alias:

Assault Escape:

Sex Offense ()

Victim Killed ()

Escape/Attempt ()

Serious Assault ()

Violated Probation/Parole/Bail ()

Separations: Yes/No

Misconducts: Yes/No

STG: Yes/No

DC-5B 5M-2-03 PETITION FOR TRANSFER: COUNTY PRISONS	COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS Forward Petition unburst with DC-185 Form
--	--

1. PETITIONING FACILITY

TO: Deputy Secretary – Specialized Facilities and Programs			
FROM:	Name of Official		Title
			Prison or Jail
RE:	County Prison No.	Parole Board No.	Prisoner's Name
	Indictments, Term, and Court	Total Sentence	Effective Date
	If Not Sentenced or Tried, Reason for Confinement	If Not Sentenced, Date of Conviction	If Not Tried, Date of Confinement
In accordance with the provisions of the Act of July 11, 1923, P.L. 1044, as amended 61 P.S. §72, I hereby petition for the transfer of the above inmate to such other facility authorized by law to receive him/her, the specific reason for this petition is as follows: (Check appropriate box.) <input type="checkbox"/> Security Risk <input type="checkbox"/> Overcrowded Conditions <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Psychiatric Evaluation <input type="checkbox"/> Other: (specify) _____			
		(Petitioning Official's Signature)	(Date)
<i>In submitting this petition, the county authorities understand that approval is subject to extraordinary costs related to medical treatment, psychiatric treatment, transportation and overtime costs related to the provision of treatment or other extraordinary expenses related to the care, custody, and control of this inmate. County authorities are responsible for extraordinary costs associated with inmates transferred into the Department via the 5-B process. The submitting authority further understands that approval of this petition is subject to rescission by the Pennsylvania Department of Corrections for any reason deemed appropriate by the Department upon notice to the county.</i>			

2. ORDER of TRANSFER

I hereby approve this transfer and authorize the following facility to receive this prisoner: _____ (Facility) _____ (Deputy Secretary – Specialized Facilities and Programs Signature/Date)
--

3. RECEIVING FACILITY TRANSMITTAL

DATE RECEIVED:	SERIAL NUMBER ASSIGNED:

White – DC-15 IRJ Copy

Green – Dept. of Corrections

Yellow – Parole Board

Pink – County Commissioners

Goldenrod – Transferring Facility

Form DC-185 TRANSMITTAL OF DATA FOR COUNTY PRISON TRANSFER				COMMONWEALTH OF PENNSYLVANIA Department of Corrections						
<u>INSTRUCTIONS</u>										
<p>Complete this form, retaining yellow copy for your file. Forward it to the Deputy Secretary for Specialized Facilities and Programs, Department of Corrections, Box 598, Camp Hill, Pennsylvania 17001, ALONG WITH the DC-5B and copies of ALL appropriate commitment papers, confinement papers, and detainers. Section 1 in the DC-5B must be completed on all inmates you wish to transfer. Also, Section 2 in the DC-5B must be completed for any unsentenced or untried inmates you wish to transfer. Upon approval of the transfer, the Deputy Secretary for Specialized Facilities and Programs will forward the DC-185, along with necessary documents, to the facility he/she has approved for the transfer. The DC-5B will be returned to you intact. You will then obtain the Judge's approval, remove only the Goldenrod sheet for your records, and forward the remaining parts of the DC-5B UNBURSTED to the facility approved for this transfer with the delivering Sheriff and the inmate. No transfer will be approved between a county prison and a Department of Corrections facility UNLESS forms DC-185 and DC-5B are completed as outlined above.</p>										
County Prison No.	Parole Board No.	Inmate's Name	County Prison	Date of Request						
DETAILED REASON FOR REQUESTING THIS TRANSFER: <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>										
THIS INMATE IS SERVING THE FOLLOWING SENTENCE:										
DATE OF SENTENCE	EFFECTIVE DATE	COURT, INDICTMENT, NUMBER, TERM	MINIMUM			MAXIMUM			JUDGE	OFFENSE
			Y	M	D	Y	M	D		
SUMMARY OR REMARKS ON SENTENCE		TOTAL SENTENCE:							COMMITMENT CREDIT	
FOLLOWING THE ABOVE SENTENCE, THIS INMATE HAS THE FOLLOWING DETAINERS:										
DATED	FROM (Include address)	CHARGING	INDICT-WARRANT NOS.			REMARKS				
THIS INMATE IS NOT SENTENCED; NOTE THE FOLLOWING:										
DATE OF CONFINEMENT	DATE OF CONVICTION	DATE OF TRIAL	INDICTMENT No., TERM			CHARGING				
SIGNATURE						TITLE				

DATE: _____

Subject: Recomputation of Sentence

TO:

FROM: Records Supervisor

This is to inform you that your sentence has been tentatively recomputed as follows:

ESCAPE:

ORIGINAL EFFECTIVE DATE:

NEW ADJUSTED MINIMUM:

NEW ADJUSTED MAXIMUM:

You are advised that you may make a written request for a hearing by the Program review committee for this recomputation of sentence within 15 days of your receipt of this memorandum. At that hearing you may question the Records Officer and present documentary evidence on your own behalf.

If you do not make a written request for a hearing within 15 days of receipt of this memorandum, the tentative recomputed sentence indicated above shall become effective, and you will receive written notice of the same.

RECEIVED: _____
Inmate's Signature

DATE: _____

WITNESS: _____

cc: DC-15
inmate

FORM DC-7X		COMMONWEALTH OF PENNSYLVANIA	
TEMPORARY TRANSFER INFORMATION		DEPARTMENT OF CORRECTIONS	
(THIS FORM IS TO BE FORWARDED TO AUTHORITIES ACCEPTING TEMPORARY CUSTODY OF INMATE)			
TO:		FROM:	
		(SEE INSTRUCTIONS BELOW)	
RE: Name:		Age:	
Home Address:			
Charge:			
Sentence:		Bill & Term No.	
Minimum Date:		Maximum Date:	
Detainer(s):			
The above named inmate is being transferred on _____ for the purpose of _____			
To assist in supervising this inmate while in your custody, the following information is furnished:			
Custodial Classification:			
Special Problems:			
Medical Information:			
Recommendation:			
DATE:	SIGNATURE:	TITLE:	
		RECORD OFFICER	

EXHIBIT

Karano-5

DC-16D.

SENTENCE STATUS SUMMARY

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

1. SENTENCE SUMMARY

MR. MERROW CRS

Class of Sentence	<input type="checkbox"/> DEFINITE	<input checked="" type="checkbox"/> INDEFINITE	<input type="checkbox"/> GENERAL	<input type="checkbox"/> LIFE	<input type="checkbox"/> COMMUTED LIFE	<input type="checkbox"/> EXECUT						
Date	County	Number, Term Court, Indictment	Type Sent	Minimum			Maximum			Judge	Offense	On Tra Nu
1-25-96	PHILADELPHIA	CP#0033;3/95		5			10			ALBERT DEFINO	ROBBERY	M641
1-25-96	PHILADELPHIA	CP#0033;3/95	CS	1			2			DEFINO	VUEFA	M641
Continued From DC#		Plea	Total Sentence:	6			12			Commitment Credit FROM 1-26-95.		
Fines		Costs		Restitution								
Summary or Remarks on Sentence												

2. DATES SECTION

Item	Original	Change #1	Change #2	Change #3	Change #4	Change #5
DATE OF RECEPTION	1-29-96	10-22-2001				
EFFECTIVE DATE	1-26-95	1-26-95				
EXPIRATION OF MINIMUM	1-26-2001	1-26-2001				
EXPIRATION OF MAXIMUM	1-26-2007	1-26-2007				
EFFECTIVE DATE - PV	XXXXXX	PVP				
DELINQUENT TIME	XXXXXX					
BACKTIME	XXXXXX					
NEW MAXIMUM - PV	XXXXXX					
SENTENCE CHANGE	XXXXXX					
BASIS FOR CHANGE	XXXXXX					
NEW SENTENCE	XXXXXX					
1st Release: Method—Inst.—Date	2nd Release: Method—Inst.—Date	3rd Release: Method—Inst.—Date	4th Release: Method—Inst.—Date			
Par/CC - CoA - 4-9-01						

3. REFERENCES AND IDENTIFICATION

1st Admission: Inst.—Date	2nd Admission: Inst.—Date	3rd Admission: Inst.—Date	4th Admission: Inst.—Date
C/EDCC 1-29-96	T/CDCC 2-2-96	H/9-96 SECT	T/COA 1-22-02
Prosecuting Police Department	Place of Birth	Date of Birth	Marital Status R-S
PHILA. PD	PHILADELPHIA, PA	4-3-75	SINGLE B/M
DC Number	PBPP Number	SID Number	Name
CX-8799	496A5	21714127	JESSUP, KEVIN

(OVER)

820

EXHIBIT

Herbst 4

DEPOSITION
EXHIBIT

Koback 24

6

DC-16E	COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS
SENTENCE STATUS SUMMARY	

1. REFERENCES AND IDENTIFICATION

DOC Number CX8799	Commitment Name KEVIN JESSUP	PBPP No 496AS	SID No 21714127	FBI Number 511135TA5	Phila Photo # 750487
Date of Birth 04/03/1975	Place of Birth PHILADELPHIA PA USA	Race B		Sex M	

2. SENTENCE SUMMARY

Sent Date	County	Indictments	Sent Type	Minimum			Maximum		
				Y	M	D	Y	M	D
01/25/1996	PHILADELPHIA	CP#0033/9503		5			10		
Plea: Found Guilty		OTN: M6413794	Judge: DEFINO,ALBERT						
Offense: ROBBERY (GENERAL)									
01/25/1996	PHILADELPHIA	CP#0033/9503	CS	1			2		
Plea: Found Guilty		OTN: M6413794	Judge: DEFINO,ALBERT						
Offense: VUFA									

Controlling Minimum Date	01/26/2001	Reentered from Previous DOC#:	
Controlling Maximum Date	01/26/2007	New Maximum - PV	

Non-Incarcerated Offenses

01/25/1996, PHILADELPHIA, CP#0033/9503, DEFINO,ALBERT

VUFA(6106),PIC,T/T,REAP,C/CONSP.-GUILTY W/O FURTHER PENALTY POW-NOT GUILTY THEFT,RSP,S/A-MERGES

Comments:

Summary or Remarks on Sentence

CONVERSION FROM 16D TO 16E TO MAKE INMATE PVP AND ADD FEDERAL DETAINER

DEF000883

6

3. SENTENCE STRUCTURE

Commitment Credit FROM 1-26-95 TO 1-25-96				
Item	Computation 1	Computation 2		
Indictments Included	CP#0033/9503 CP#0033/9503			
Effective Date	01/26/1995			
Expiration of Minimum	01/26/2001			
Expiration of Maximum	01/26/2007			
Custody for Return - PV				
Delinquent Time				
Backtime Credit				
Backtime Owed				
New Maximum - PV				
Sentence Computation Date	02/12/1996			
Basis for Computation	PVP			
Total Sentence	6Y - 12Y			
Status	Pending			

Closed Version No:3 Daled 6/27/2007 3:13:3

Sent Date	County/State/Federal	Indictments
01/25/1996	Philadelphia	CP0033/9503
Description:	VUFA(6106),PIC,T/T,REAP,C/CONSP.-GUILTY W/O FURTHER PENALTY POW-NOT GUILTY THEFT,RSP,S/A-MERGES	
Comments		

Detainer#	Date	Agency	Agency Identification	OTN	Type
1	09/26/2002	USMS EASTERN	CR# 02-32-01		Federal
Charges	- 162 M To 162 M				

Detainer#	Date Deleted	Agency	Agency Identification	OTN	Type
None					
Remarks	None				

[illegible]

Decision Date	File Number	Action	Comments
None			

Institution: Coal Township



COMMONWEALTH OF PENNSYLVANIA

DC16E - SENTENCE STATUS SUMMARY DEPARTMENT OF CORRECTIONS

Name: Kevin Jessup

Inmate #: CX8799

Closed Version 2 Dated 12/19/2003 3:06:06 PM

1. REFERENCES AND IDENTIFICATION

DOC # CX8799	Commitment Name KEVIN JESSUP	PBPP # 496AS	SID # 21714127	FBI # 511135TA5	Phila Photo # 750487
DOB 04/03/1975	Place of Birth PHILADELPHIA PA USA			Race B	Sex M

2. SENTENCE SUMMARY

Sent Date	County/State/Federal	Indictments	Sent Type	Minimum			Maximum		
				Y	M	D	Y	M	D
01/25/1996	Philadelphia	CP0033/9503		5			10		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC3701 - ROBBERY (GENERAL)								
01/25/1996	Philadelphia	CP0033/9503	CS	1			2		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC6108 - CARRY FIREARM IN PUBLIC-PHILADELPHIA								

Reception Date	10/22/2001	Reentered from DOC #	
Controlling Minimum Date	01/26/2001	New Maximum - PV	02/16/2008
Controlling Maximum Date	01/26/2007	True Minimum Expiry Date	
RRRI Minimum Expiry Date			

Summary or Remarks on Sentence

Remarks	Version 2 created due to inmate being recommitted as a Technical Convicted Parole Violator (TCV). Sentence recomputed in accordance with PBPP Form 39 dated 12/02/2003.
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3. SENTENCE STRUCTURE

Commitment Credit
Computation 1 CP0033/9503 : 01/26/1995 to 01/25/1996

Remarks	
----------------	--

Bail/Escapes/Interruption Time Data

None

Name: Kevin Jessup

Inmate #: CX8799

Closed Version No:2 Dated 12/19/2003 3:06:06 PM

3. SENTENCE STRUCTURE (Cont'd)

Item	Computation 1			
Indictments Included	CP0033/9503 CP0033/9503			
Eff Date	01/26/1995			
Expiration of Minimum	01/26/2001			
Expiration of Maximum	01/26/2007			
Custody for Return - PV	09/23/2002	<i>He was arrested on 9/26/01 and put in the PBPP came up w/ this date, then</i>		
Delinquent Time		<i>Did not know how to calculate.</i>		
Backtime Credit	4M24D	<i>Did not know how to calculate.</i>		
Backtime Owed	5Y4M23D	<i>Did not know how to calculate.</i>		
New Maximum - PV	02/16/2008			
Sentence Computation Date	12/19/2003			
Basis for Computation	TCV			
Total Sentence	6Y - 12Y			
Status	Active			

Closed Version No:2 Dated 12/19/2003 3:06:06 PM

Sent Date	County/State/Federal	Indictments
01/25/1996	Philadelphia	CP0033/9503
Description:	VUFA(6106),PIC,T/T,REAP,C/CONSP.-GUILTY W/O FURTHER PENALTY POW-NOT GUILTY THEFT,RSP,S/A-MERGES	
Comments		

Detainer#	Date	Agency	Agency Identification	OTN	Type
1	09/26/2002	Usms Eastern	Cri# 02-32-01		Federal
Changes	- 162 M To 162 M				

Detainer#	Date Deleted	Agency	Agency Identification	OTN	Type
None					
Remarks	None				

[illegible]

Decision Date	File Number	Action	Comments
None			

Institution: Frackville

6



COMMONWEALTH OF PENNSYLVANIA

DC16E - SENTENCE STATUS SUMMARY DEPARTMENT OF CORRECTIONS

Name: Kevin Jessup

Inmate #: CX8799

Closed Version 3 Dated 6/27/2007 3:13:38 PM

1. REFERENCES AND IDENTIFICATION

DOC # CX8799	Commitment Name KEVIN JESSUP	PBPP # 496AS	SID # 21714127	FBI # 511135TA5	Phila Photo # 750487
DOB 04/03/1975	Place of Birth PHILADELPHIA PA USA	Race B	Sex M		

2. SENTENCE SUMMARY

Sent Date	County/State/Federal	Indictments	Sent Type	Minimum			Maximum		
				Y	M	D	Y	M	D
01/25/1996	Philadelphia	CP0033/9503		5			10		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC3701 - ROBBERY (GENERAL)								
01/25/1996	Philadelphia	CP0033/9503	CS	1			2		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC6108 - CARRY FIREARM IN PUBLIC-PHILADELPHIA								

Reception Date	10/22/2001	Reentered from DOC #	
Controlling Minimum Date	01/26/2001	New Maximum - PV	
Controlling Maximum Date	01/26/2007	True Minimum Expiry Date	
RRRI Minimum Expiry Date			

Summary or Remarks on Sentence

Remarks	Version 3 created due to board action dated 6/25/2007 to remove TCV status and reflect inmate is now serving as a PVP. Inmate will return to the custody of the U.S. Marshals prior to serving PBPP backtime.
	Version 2 created due to inmate being recommitted as a Technical Convicted Parole Violator (TCV). Sentence recomputed in accordance with PBPP Form 39 dated 12/02/2003.

3. SENTENCE STRUCTURE

Commitment Credit	
Computation 2	CP0033/9503 : 01/26/1995 to 01/25/1996
Remarks	

6

Name: Kevin Jessup

Inmate #: CX8799

Closed Version No:3 Dated 6/27/2007 3:13:38 PM

Bail/Escapes/Interruption Time Data

None				
Item	Computation 2			
Indictments Included	CP0033/9503 CP0033/9503			
Eff Date	01/26/1995			
Expiration of Minimum	01/26/2001			
Expiration of Maximum	01/26/2007			
Custody for Return - PV				
Delinquent Time				
Backtime Credit				
Backtime Owed				
New Maximum - PV				
Sentence Computation Date	06/27/2007			
Basis for Computation	PVP			
Total Sentence	6Y - 12Y			
Status	Pending			

Closed Version No:3 Daled 6/27/2007 3:13:3

4. NON-INCARCERATED OFFENSES

Sent Date	County/State/Federal	Indictments
01/25/1996	Philadelphia	CP0033/9503
Description:	VUFA(6106),PIC,T/T,REAP,C/CONSP.-GUILTY W/O FURTHER PENALTY POW-NOT GUILTY THEFT,RSP,S/A-MERGES	
Comments		

5. DETAINERS

Detainer#	Date	Agency	Agency Identification	OTN	Type
1	09/26/2002	USMS EASTERN	CR# 02-32-01		Federal
Charges	- 162 M To 162 M				

Deleted Detainers (For those deleted since last DC16)

Detainer#	Date Deleted	Agency	Agency Identification	OTN	Type
None					
Remarks	None				

6. PRIOR DOC NUMBERS

[illegible]

7. ACTIONS: BOARD OF PARDONS

Decision Date	File Number	Action	Comments
None			

Last Modified By: Kodack, Michelle L

Signed Off By: Fobia, Christina M

Institution: Coal Township



COMMONWEALTH OF PENNSYLVANIA

DC16E - SENTENCE STATUS SUMMARY DEPARTMENT OF CORRECTIONS

Name: Kevin Jessup

Inmate #: CX8799

Closed Version 4 Dated 4/21/2009 10:05:54 AM

1. REFERENCES AND IDENTIFICATION

DOC # CX8799	Commitment Name KEVIN JESSUP	PBPP # 496AS	SID # 21714127	FBI # 511135TA5	Phila Photo # 750487
DOB 04/03/1975	Place of Birth PHILADELPHIA PA USA			Race B	Sex M

2. SENTENCE SUMMARY

Sent Date	County/State/Federal	Indictments	Sent Type	Minimum			Maximum		
				Y	M	D	Y	M	D
01/25/1996	Philadelphia	CP0033/9503		5			10		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC3701 - ROBBERY (GENERAL)								
01/25/1996	Philadelphia	CP0033/9503	CS	1			2		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC6108 - CARRY FIREARM IN PUBLIC-PHILADELPHIA								

Reception Date	04/15/2009	Reentered from DOC #	
Controlling Minimum Date	01/26/2001	New Maximum - PV	
Controlling Maximum Date	01/26/2007	True Minimum Expiry Date	
RRRI Minimum Expiry Date			

Summary or Remarks on Sentence

Remarks	<p>VERSION 4 CREATED TO SHOW PVP STATUS</p> <p>Version 3 created due to board action dated 6/25/2007 to remove TCV status and reflect inmate is now serving as a PVP. Inmate will return to the custody of the U.S. Marshals prior to serving PBPP backtime.</p> <p>Version 2 created due to inmate being recommitted as a Technical Convicted Parole Violator (TCV). Sentence recomputed in accordance with PBPP Form 39 dated 12/02/2003.</p>
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3. SENTENCE STRUCTURE

Commitment Credit	
Computation 3	CP0033/9503 : 01/26/1995 to 01/25/1996
Remarks	

16

Name: Kevin Jessup

Inmate #: CX8799

Closed Version No:4 Dated 4/21/2009 10:05:54

Bail/Escapes/Interruption Time Data

None

Item	Computation 3			
Indictments Included	CP0033/9503 CP0033/9503			
Eff Date	01/26/1995			
Expiration of Minimum	01/26/2001			
Expiration of Maximum	01/26/2007			
Custody for Return - PV				
Delinquent Time				
Backtime Credit				
Backtime Owed				
New Maximum - PV				
Sentence Computation Date	04/16/2009			
Basis for Computation	PVP			
Total Sentence	6Y - 12Y			
Status	Pending			

4/21/2009 10:05:54 AM

Inmate #: CX8799 - Kevin Jessup Version 4 Closed 4/21/2009 10:05:54 AM
Distribution: Inmate PBPP PSP BIS Counselor DC-15 Time File

Page 2

DEF000893

Name: Kevin Jessup

Inmate #: CX8799

Closed Version No:4 Dated 4/21/2009 10:05:54 AM

4. NON-INCARCERATED OFFENSES

Sent Date	County/State/Federal	Indictments
01/25/1996	Philadelphia	CP0033/9503
Description:	VUFA(6106),PIC,T/T,REAP,C/CONSP.-GUILTY W/O FURTHER PENALTY POW-NOT GUILTY THEFT,RSP,S/A-MERGES	
Comments		

5. DETAINERS

Active Detainers					
Detainer#	Date	Agency	Agency Identification	OTN	Type
Charges	None				

Deleted Detainers (For those deleted since last DC16)					
Detainer#	Date Deleted	Agency	Agency Identification	OTN	Type
1	7/19/2007	USMS EASTERN	CR# 02-32-01		Federal
Remarks	INMATE RELEASED TO THIS DETAINER				

6. PRIOR DOC NUMBERS

None									
------	--	--	--	--	--	--	--	--	--

7. ACTIONS: BOARD OF PARDONS

Decision Date	File Number	Action	Comments
None			

Last Modified By: Herbst, Deborah K

Signed Off By: Kodack, Michelle L

Institution: Coal Township



COMMONWEALTH OF PENNSYLVANIA

DC16E - SENTENCE STATUS SUMMARY DEPARTMENT OF CORRECTIONS

Name: Kevin Jessup

Inmate #: CX8799

Closed Version 5 Dated 5/1/2009 10:26:44 AM

1. REFERENCES AND IDENTIFICATION

DOC # CX8799	Commitment Name KEVIN JESSUP	PBPP # 496AS	SID # 21714127	FBI # 511135TA5	Phila Photo # 750487
DOB 04/03/1975	Place of Birth PHILADELPHIA PA USA			Race B	Sex M

2. SENTENCE SUMMARY

Sent Date	County/State/Federal	Indictments	Sent Type	Minimum			Maximum		
				Y	M	D	Y	M	D
01/25/1996	Philadelphia	CP0033/9503		5			10		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC3701 - ROBBERY (GENERAL)								
01/25/1996	Philadelphia	CP0033/9503	CS	1			2		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC6108 - CARRY FIREARM IN PUBLIC-PHILADELPHIA								

Reception Date	04/15/2009	Reentered from DOC #	
Controlling Minimum Date	01/26/2001	New Maximum - PV	09/06/2014
Controlling Maximum Date	01/26/2007	True Minimum Expiry Date	
RRRI Minimum Expiry Date			

Summary or Remarks on Sentence

Remarks	<p>VERSION 5 CREATED TO SHOW TCV STATUS ACCORDING TO PBPP</p> <p>VERSION 4 CREATED TO SHOW PVP STATUS</p> <p>Version 3 created due to board action dated 6/25/2007 to remove TCV status and reflect inmate is now serving as a PVP. Inmate will return to the custody of the U.S. Marshals prior to serving PBPP backtime.</p> <p>Version 2 created due to inmate being recommitted as a Technical Convicted Parole Violator (TCV). Sentence recomputed in accordance with PBPP Form 39 dated 12/02/2003.</p>
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3. SENTENCE STRUCTURE

Commitment Credit	
Computation 4	CP0033/9503 : 01/26/1995 to 01/25/1996
Remarks	

6

Name: Kevin Jessup

Inmate #: CX8799

Closed Version No:5. Dated 5/1/2009 10:26:44 AM

Bail/Escapes/Interruption Time Data

None				
Item	Computation 4			
Indictments Included	CP0033/9503 CP0033/9503			
Eff Date	01/26/1995			
Expiration of Minimum	01/26/2001			
Expiration of Maximum	01/26/2007			
Custody for Return - PV	04/14/2009			
Delinquent Time				
Backtime Credit	147D			
Backtime Owed	1971D			
New Maximum - PV	09/06/2014			
Sentence Computation Date	04/28/2009			
Basis for Computation	TCV			
Total Sentence	6Y - 12Y			
Status	Active			

6

Name: Kevin Jessup

Inmate #: CX8799

Closed Version No:5 Dated 5/1/2009 10:26:4

4. NON-INCARCERATED OFFENSES

Sent Date	County/State/Federal	Indictments
01/25/1996	Philadelphia	CP0033/9503
Description:	VUFA(6106),PIC,T/T,REAP,C/CONSP.-GUILTY W/O FURTHER PENALTY POW-NOT GUILTY THEFT,RSP,S/A-MERGES	
Comments		

5. DETAINERS

Active Detainers					
Detainer#	Date	Agency	Agency Identification	OTN	Type
Charges	None				

Deleted Detainers (For those deleted since last DC16)					
Detainer#	Date Deleted	Agency	Agency Identification	OTN	Type
None					
Remarks	None				

6. PRIOR DOC NUMBERS

None									
------	--	--	--	--	--	--	--	--	--

7. ACTIONS: BOARD OF PARDONS

Decision Date	File Number	Action	Comments
None			

Last Modified By: Herbst, Deborah K

Signed Off By: Kodack, Michelle L

Institution: Coal Township



COMMONWEALTH OF PENNSYLVANIA

DC16E - SENTENCE STATUS SUMMARY DEPARTMENT OF CORRECTIONS

Name: Kevin Jessup

Inmate #: CX8799

Closed Version 6 Dated 7/30/2009 2:36:10 PM

1. REFERENCES AND IDENTIFICATION

DOC # CX8799	Commitment Name KEVIN JESSUP	PBPP # 496AS	SID # 21714127	FBI # 511135TA5	Phila Photo # 750487
DOB 04/03/1975	Place of Birth PHILADELPHIA PA USA			Race B	Sex M

2. SENTENCE SUMMARY

Sent Date	County/State/Federal	Indictments	Sent Type	Minimum			Maximum		
				Y	M	D	Y	M	D
01/25/1996	Philadelphia	CP0033/9503		5			10		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC3701 - ROBBERY (GENERAL)								
01/25/1996	Philadelphia	CP0033/9503	CS	1			2		
Plea:	Found Guilty	OTN: M6413794	Judge: DEFINO,ALBERT						
Offense:	CC6108 - CARRY FIREARM IN PUBLIC-PHILADELPHIA								

Reception Date	04/15/2009	Reentered from DOC #	
Controlling Minimum Date	01/26/2001	New Maximum - PV	07/14/2009
Controlling Maximum Date	01/26/2007	True Minimum Expiry Date	
RRRI Minimum Expiry Date			

Summary or Remarks on Sentence

Remarks	Version 6 created to show modified TCV calculation per PBPP39. VERSION 5 CREATED TO SHOW TCV STATUS ACCORDING TO PBPP VERSION 4 CREATED TO SHOW PVP STATUS Version 3 created due to board action dated 6/25/2007 to remove TCV status and reflect inmate is now serving as a PVP. Inmate will return to the custody of the U.S. Marshals prior to serving PBPP backtime. Version 2 created due to inmate being recommitted as a Technical Convicted Parole Violator (TCV). Sentence recomputed in accordance with PBPP Form 39 dated 12/02/2003.
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3. SENTENCE STRUCTURE

Commitment Credit	
Computation 5	CP0033/9503 : 01/26/1995 to 01/25/1996
Remarks	



Name: Kevin Jessup

Inmate #: CX8799

Closed Version No:6 Dated 7/30/2009 2:36:10 PM

Bail/Escapes/Interruption Time Data

None

Item	Computation 5			
Indictments Included	CP0033/9503 CP0033/9503			
Eff Date	01/26/1995			
Expiration of Minimum	01/26/2001			
Expiration of Maximum	01/26/2007			
Custody for Return - PV	04/14/2009			
Delinquent Time				
Backtime Credit	2027D			
Backtime Owed	91D			
New Maximum - PV	07/14/2009			
Sentence Computation Date	07/30/2009			
Basis for Computation	TCV			
Total Sentence	6Y - 12Y			
Status	Active			

Closed Version No:6 Dated 7/30/2009 2:36:10 PM

Sent Date	County/State/Federal	Indictments
01/25/1996	Philadelphia	CP0033/9503
Description:	VUFA(6106),PIC,T/T,REAP,C/CONSP.-GUILTY W/O FURTHER PENALTY POW-NOT GUILTY THEFT,RSP,S/A-MERGES	
Comments		

Active Detainers					
Detainer#	Date	Agency	Agency Identification	OTN	Type
Charges	None				
Deleted Detainers (For those deleted since last DC16)					
Detainer#	Date Deleted	Agency	Agency Identification	OTN	Type
None					
Remarks	None				

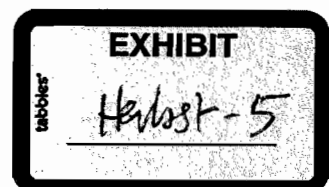
None

Decision Date	File Number	Action	Comments
None			

Institution: Coal Township

Sentence Computation Error Information Sheet

Institution	
Inmate Number	
Inmate Name	
Sentence Calculation Error (Y/N)?	
What was the error? Include days calculated too long or too short.	
Month/Year Error was Detected	
Month/Year of Event	
Month/Year of Original Error	
Where (Institution) was the error made?	
If possible, name of person who made the error.	
How was the error discovered?	
Explanation of error	
Name of person completing this form and date completed	
Date	



DC-300B (PART 1)
(Rev. 10-85)(MC 95-01-3038)
COURT COMMITMENT

Type or Print Legibly

STATE OR COUNTY CORRECTIONAL INSTITUTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

Commonwealth of Pennsylvania

NOTE: Additional supply of this form available at above address.

☒ DC-300B (Part II) attached

SEX <input type="checkbox"/> F <input checked="" type="checkbox"/> M	DATE OF BIRTH 4/13/76	DOB PP# 750487	OTN M6413794	COURT OF INITIAL JURISDICTION <input type="checkbox"/>	COMMON PLEAS <input checked="" type="checkbox"/>
COMMITTING AGENCY/REGISTRAR/DISTRICT Philadelphia			COURT NUMBER 00331	DATE - TERM 95-03	

The above defendant after ☐ pleading guilty ☐ nolo contendere ☒ being found guilty was on
 Jan. 25 1996 sentenced by Judge/District Justice A. J. McQuinn to a term
 not less than 5 years months days nor more than 10 years months days, or
 for the offense of Robbery

(Section 3701 of the Crimes Code) or (other statute)

It is further ordered that the said defendant be delivered by the proper authority to and treated as the law
 directs at the State facility located at Greentown

FINE AMOUNT \$	COSTS AMOUNT \$ <u>19.00</u>	RESTITUTION 1
To Be Paid To: <input type="checkbox"/> COUNTY <input type="checkbox"/> COMMONWEALTH	To Be Paid By: <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> DEFENDANT	EFFECTIVE DATE OF SENTENCE 1/25/96
CREDIT FOR TIME SERVED (EXPLANATION OF CREDIT COMPUTATION ON REVERSE SIDE) 1/24/95 - 1/25/96 IF NOT ALREADY CREDITED		

This sentence shall be deemed to run concurrent to any existing sentences, effective the date of imposition unless otherwise stipulated below.

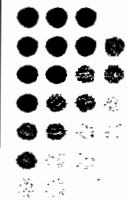
PROSECUTING ATTORNEY <u>John Kotter</u>	DISPOSITION OF NON-INCARCERATION OFFENSE(S) <u>VUFA(6106), PIC, T/T, REAP, & CONSP. - guilty w/o plea</u> <u>POW - not guilty</u> <u>THEFT, RSP, S/A - MURDER</u>
DEFENSE ATTORNEY <u>John Kotter Esq.</u>	
COURT REPORTER <u>Jill Shilton</u>	(THIS BLOCK NOT TO BE USED FOR INCARCERATION OFFENSES)

In witness, whereof I have hereunto set my hand and seal of said
 court, this 25th day of January, 19 96

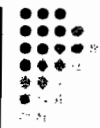
EXHIBIT
Varano-6DEPOSITION
EXHIBIT
Kadake 9EXHIBIT
Herbst-6

8

Computation Manual



SENTENCE STRUCTURE DEFINITIONS



- **Aggregation** - The adding together of all of the minimum and maximum terms of incarceration of those sentences that are to run consecutive to each other, that can be aggregated as per law to form one total minimum and maximum sentence.
- **Backtime** - The amount of time determined by the paroling authority, which remains to be served on the inmate's sentence(s) when he/she is paroled or reparaoled from the sentence(s).
- **Concurrent** - Running parallel, operating or occurring at the same time. Two or more sentences that are being served at the same time are concurrent.
- **Consecutive** - Following one after the other, in order, without gaps in time. If aggregation does not apply, a consecutive sentence starts when the previously imposed sentence ends.
- **Controlling Minimum** - The sentence with the minimum expiration date that is the predominate (or the longest) one.

EXHIBIT

tabbles

Herbst 7

ROOM 813 CITY HALL
PHILADELPHIA, PA 19107
(215) 686-4260 or 81 or 82

OX 8799

William T. Joffe
Clerk of Quarter Sessions

Charles L. Williams
First Deputy

Francis P. Conway
Second Deputy

DATE: 1-27-96

TO THE SUPERINTENDENT
STATE CORRECTIONAL INSTITUTION

COMMONWEALTH

VS.

Jessup, Kevin

A/K/A

Robb.

RE: CREDIT TIME

CP# 95-03-0033

MC# 95-01-3038

SP# 750487

DEAR SUPERINTENDENT:

IN CHECKING THE RECORD OF THE ABOVE CAPTIONED DEFENDANT, HE/SHE IS TO BE CREDITED WITH TIME SERVED WHILE INCARCERATED IN THE PHILADELPHIA COUNTY PRISON SYSTEM WAITING TRIAL, IF NOT ALREADY APPLIED ON ANOTHER MATTER.

FROM 1-26-95 TO 1-29-96

FROM TO

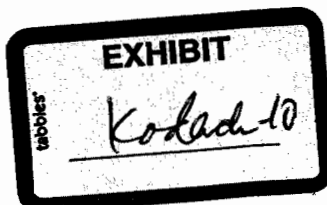
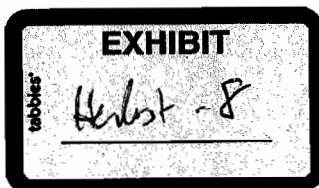
FROM TO

FROM TO

THE ABOVE CREDIT TIME WAS CALCULATED BY C/O M. Rybak
OF THE PHILADELPHIA COUNTY PRISON. THIS LETTER SHALL BE CONSTRUED AS AN AMENDMENT TO THE ORIGINAL COMMITMENT, AND IS BEING SENT TO YOU UNDER THE SEAL OF THE COURT.

SINCERELY,

Myrtis R. Gordon
MYRTIS R. GORDON
COURT SERVICES MANAGER
CLERK OF QUARTER SESSIONS
ROOM 813 CITY HALL
(215) 686-4260 or 81 or 82
DEF001159



Varano - 7

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
State Correctional Institution
at Coal Township
(570) 644-7890

** FOR INTERNAL RECORDS OFFICE USE ONLY **

DATE: 4.4.03

SUBJECT: Disposition Unreported

TO: File

FROM: SCI Coal Township Records Staff

This document is an original copy and should not be reproduced without the following criteria established in CHRIA. All reproduced copies of this document should be logged before dissemination. This CHRI is only that which is contained within the DOC files. A summary of statewide CHRI may be obtained by the PA State Police, Records and Identification Division.

Inmate Name: Kevin Joseph

Inmate Number: CX 8799

Arresting Agency: Phila P.D.

Arrest Date: 4-25-01

Charges: see PA 2/12/01 PA Public P.C.

OTN Number: 2/10/1250

Person Contacted: JUST

Agency/Office:

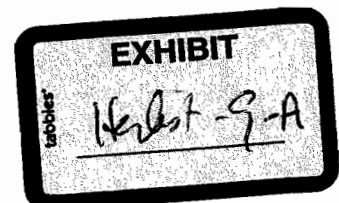
Information: Wolfe Prison

Open Case/Detainer: Yes ☒ No

Qualify for the Sexual Violent Offender Law: Yes ☒ No

Information Verified By: Delene Hunter

** FOR INTERNAL RECORDS OFFICE USE ONLY **



DEF001166

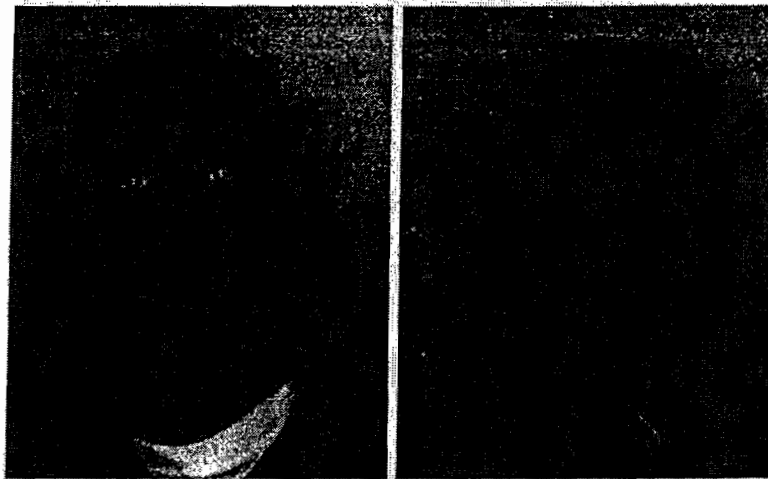
COMMONWEALTH OF PENNSYLVANIA



Department of Corrections

BODY RECEIPT

Receipt Date 12/28/2006		Receipt Time 1140		Agency Dept of Corrections		
Received From DAVID DIGUGLIELMO		Title Superintendent		Institution Graterford		
Inmate #	Inmate Name	Race	Sex	Sent Stat	Custody Lvl	Program Codes
CX8799	JESSUP, Kevin	Black	Male	AS	3	



Inmate Number: CX8799

Name: JESSUP, Kevin

Photo Date: 1/17/2006

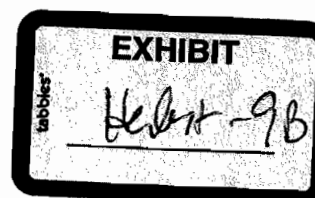
ROUTE:031 VEH:B1

☐ To Detainer
 ☐ Confinement Papers
 ☐ R

☐ Court WRIT-ATA
 ☐ 7X Given to Transporting Authority

☒ Other (Specify) TT/RETURN

Received By <i>Deborah Kiehl</i>	Title <i>RSI</i>	Agency SCI-COAL TOWNSHIP
-------------------------------------	---------------------	-----------------------------



DEF001066



Pennsylvania Department of Corrections

Moves Report

mk

2/8/2012 12:41:18 PM

Inmate Number: CX8799

Inmate Name: JESSUP, Kev

Time & Date	Inmate #	Move Code	Location	Sent. Status	Parole Status
15:54 07/30/2009	CX8799	D	COA - Coal Township	Sentence Completed	Tech/convicted Pa
NA 04/28/2009	CX8799	SC	COA - Coal Township	Actively Serving	Tech/convicted Pa
21:15 04/15/2009	CX8799	APV	COA - Coal Township	Actively Serving	Parole Violator Pen
09:07 07/19/2007	CX8799	D	COA - Coal Township	Srv Prev Cnty/state/fed	Parole Violator Pen
08:02 06/25/2007	CX8799	SC	COA - Coal Township	Actively Serving	Parole Violator Pen
08:01 06/25/2007	CX8799	SC	COA - Coal Township	Actively Serving	Tech/convicted Pa
08:00 06/25/2007	CX8799	SC	COA - Coal Township	Actively Serving	Parole Violator Pen
11:39 12/28/2006	CX8799	RTT	COA - Coal Township	Actively Serving	Tech/convicted Pa
10:34 12/28/2006	CX8799	RTT	BUS	Actively Serving	Tech/convicted Pa
09:45 12/28/2006	CX8799	XPT	MAH - Mahanoy	Actively Serving	Tech/convicted Pa
06:03 12/28/2006	CX8799	RTT	BUS	Actively Serving	Tech/convicted Pa
14:25 11/29/2006	CX8799	SC	GRA - Graterford	Actively Serving	Tech/convicted Pa
12:00 11/17/2006	CX8799	SC	FPH - Federal Auth-philadelphia	Writ/ata	Tech/convicted Pa
18:03 11/14/2006	CX8799	STT	GRA - Graterford	Actively Serving	Tech/convicted Pa
12:24 11/14/2006	CX8799	STT	BUS	Actively Serving	Tech/convicted Pa
10:33 11/14/2006	CX8799	XPT	SMI - Smithfield	Actively Serving	Tech/convicted Pa
07:55 11/14/2006	CX8799	STT	BUS	Actively Serving	Tech/convicted Pa
11:24 09/07/2006	CX8799	RTT	COA - Coal Township	Actively Serving	Tech/convicted Pa
10:20 09/07/2006	CX8799	RTT	BUS	Actively Serving	Tech/convicted Pa
09:21 09/07/2006	CX8799	XPT	MAH - Mahanoy	Actively Serving	Tech/convicted Pa
05:28 09/07/2006	CX8799	RTT	BUS	Actively Serving	Tech/convicted Pa
12:40 08/25/2006	CX8799	SC	GRA - Graterford	Actively Serving	Tech/convicted Pa
13:35 08/16/2006	CX8799	SC	FPH - Federal Auth-philadelphia	Writ/ata	Tech/convicted Pa
20:46 08/08/2006	CX8799	STT	GRA - Graterford	Actively Serving	Tech/convicted Pa
12:43 08/08/2006	CX8799	STT	BUS	Actively Serving	Tech/convicted Pa
10:26 08/08/2006	CX8799	XPT	SMI - Smithfield	Actively Serving	Tech/convicted Pa
07:42 08/08/2006	CX8799	STT	BUS	Actively Serving	Tech/convicted Pa
09:00 12/19/2003	CX8799	SC	COA - Coal Township	Actively Serving	Tech/convicted Pa
13:30 10/10/2002	CX8799	RTT	COA - Coal Township	Actively Serving	Parole Violator Pen
11:27 10/10/2002	CX8799	RTT	BUS	Actively Serving	Parole Violator Pen
10:45 10/10/2002	CX8799	XPT	MAH - Mahanoy	Actively Serving	Parole Violator Pen
05:05 10/10/2002	CX8799	RTT	BUS	Actively Serving	Parole Violator Pen
12:15 09/26/2002	CX8799	SC	GRA - Graterford	Actively Serving	Parole Violator Pen
11:35 02/20/2002	CX8799	SC	FPH - Federal Auth-philadelphia	Writ/ata	Parole Violator Pen
13:24 02/14/2002	CX8799	STT	GRA - Graterford	Actively Serving	Parole Violator Pen
10:33 02/14/2002	CX8799	STT	BUS	Actively Serving	Parole Violator Pen
09:14 02/14/2002	CX8799	XPT	MAH - Mahanoy	Actively Serving	Parole Violator Pen
08:33 02/14/2002	CX8799	STT	BUS	Actively Serving	Parole Violator Pen
16:12 01/22/2002	CX8799	TRN	COA - Coal Township	Actively Serving	Parole Violator Pen
12:47 01/22/2002	CX8799	TRN	BUS	Actively Serving	Parole Violator Pen
09:40 01/22/2002	CX8799	XPT	SMI - Smithfield	Actively Serving	Parole Violator Pen
05:41 01/22/2002	CX8799	TRN	BUS	Actively Serving	Parole Violator Pen
05:41 01/22/2002	CX8799	SC	GRA - Graterford	Actively Serving	Parole Violator Pen
15:30 12/26/2001	CX8799	SC	GRA - Graterford	Diagnostic/classificatn	Parole Violator Pen
07:47 12/26/2001	CX8799	SC	PHI - Philadelphia	Writ/ata	Parole Violator Pen
13:46 10/22/2001	CX8799	APV	GRA - Graterford	Diagnostic/classificatn	Parole Violator Pen
07:30 04/09/2001	CX8799	D	COA - Coal Township	Paroled	State Parole
07:11 04/19/1996	CX8799	TRN	COA - Coal Township	Actively Serving	Not Applicable
07:10 04/19/1996	CX8799	SC	CAM - Camp Hill	Actively Serving	Not Applicable
05:35 02/02/1996	CX8799	TRN	CAM - Camp Hill	Diagnostic/classificatn	Not Applicable
14:14 01/29/1996	CX8799	AC	GRA - Graterford	Diagnostic/classificatn	Not Applicable

EXHIBIT

tabbies

Herbst - 10

EXHIBIT

Kodach - 28

DEF000930

PBPP-39
Revised (02-04)

ORDER TO RECOMMIT

COMMONWEALTH OF PENNSYLVANIA BOARD OF PROBATION AND PAROLE

Name: KEVIN JESSUP**Inst. No:** CX8799**Parole No:** 496AS**District:** CO - Central Office**SID:** 21714127**Date Paroled:** 04/09/2001**Inst Parole From:** SCICT - SCI - Coal Township**Recommit To:** SCICT - SCI - Coal Township**Status:** ☒ TPV ☒ CPV

The above-named individual who was conditionally released on parole by the Pennsylvania Board of Probation and Parole has been found by the Board to have violated the conditions of parole. Therefore, the Board, by virtue of the authority conferred on it by law, orders said individual recommitted for further imprisonment for the remainder of the unexpired maximum term, or until otherwise released or discharged according to law.

County, Bill & Term and OTN

County Name	OTN	Indictment Number	Minimum Date
PHILAD	M6413794	CP 950300033	01/26/2001
PHILAD	M6413794	CP 950300033	01/26/2001

Parole Violation Date Calculation

Original Maximum Date: 01/26/2007

- Parole/Reparole/Delinquency/Board Warrant Date: 04/09/2001

+ Constructive Parole Time Added: 0D

- Confinement Time: 0D

- Backtime Credit: 147D

= Backtime Owed: 1971D

+ Custody for Return: 04/14/2009

= Recomputed Maximum Date: 09/06/2014

+ Escape Time: 0D

= New Maximum Date: 09/06/2014

Backtime Dates:

From	To	Time Period
09/26/2001	02/20/2002	147D

Time Lost Due to:**Delinquency:**

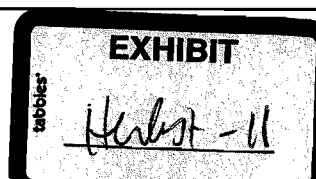
0D

Service of Another Sentence:

0D

Conviction(s) Resulting in Recommitment

Sentence Date	Sentence County	Indictment	Period	Type	Place of Confinement
2 11/24/2008	FEDERA - FEDERAL COUNTY	02CR00032-01	24 MONTHS		FED - FEDERAL
Parole/Release/Max Date: 04/14/2009 Confined: Y Comments: ORIGINALLY SENTENCED ON 9/23/2002 TO 162 MONTHS. CONVICTION & SENTENCE VACATED ON 11/21/2006 AND RESENTENCED ON 11/21/2006 TO 95 MONTHS. RE-SENTENCED AGAIN ON 11/24/2008 TO 24 MONTHS					



DEF000901

Miscellaneous Notes

Note Conviction

GIVEN under the hand of the Pennsylvania Board of Probation and Parole this 04/17/2009

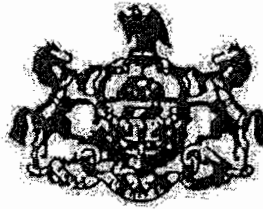
By The Board

Cynthia L. Doe

Board Secretary

PBPP 141 (12/79)

*Original given to
115 Marshals*



AGENT JOSEPH RYAN
TELEPHONE 215-560-6750
SSAN 185566610
DOB 04/03/1975
SID 21714127
PICTUREID750487
JUDGE ALBERT DEFINO
BILL & TERM 950300033
ORIGINAL CHARGE ROBBERY VUFA
MAX DATE 01/26/2007
NEW CHARGE NEW CRIM CHAR CSA
MANUF/DEL/PWID

HEARING DATE 10/02/01
CONCURRENCE BY AUDREY STARLING
ON 09/27/2001

Bail 10/4/01

COMMONWEALTH OF PENNSYLVANIA
BOARD OF PROBATION AND PAROLE

WARRANT TO COMMIT AND DETAIN

DATE 09/27/2001

To the Superintendent, Warden, or other authorized representative of any
Detention Facility or State Correctional Institution in the Commonwealth
of Pennsylvania :

By virtue of the authority delegated to me by the Pennsylvania Board of Probation
and Parole, you are hereby authorized and directed to commit and detain for
violation of parole/probation KEVIN JESSUP

Parole No. 496AS , Paroled on 04/09/2001
from SCI - Coal Township , Institution No. CX 8799
Subject to further order of the Board

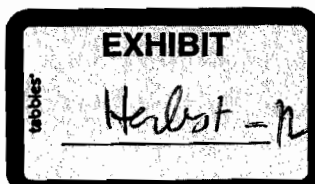
PENNSYLVANIA BOARD OF PROBATION AND PAROLE

By:

Willie E. Jones Jr.

District Director

Warrant Number: 1C2-01-082



DEF001061

NOTICE OF BOARD DECISION
PBPP-15(6/96)

COMMONWEALTH OF PENNSYLVANIA
PENNA. BOARD OF PROBATION AND PAROLE

DATE: 11/29/2000

CLIENT NAME: KEVIN JESSUP
INSTITUTION: SCI - COAL TOWNSHIP

PAROLE NO: 496AS
INSTITUTION NO: CX8799

AS RECORDED ON 11/29/2000 THE BOARD OF PROBATION AND PAROLE RENDERED THE
FOLLOWING DECISION IN YOUR CASE:

FOLLOWING AN INTERVIEW AND REVIEW OF YOUR FILE, THE PENNSYLVANIA BOARD OF
PROBATION AND PAROLE HAS DETERMINED THAT THE FAIR ADMINISTRATION OF JUSTICE
MAY BE ACHIEVED THROUGH YOUR RELEASE ON PAROLE, AND SUBJECT TO YOUR COMPLIANCE
WITH ALL OF THE TERMS AND CONDITIONS OF PAROLE SUPERVISION. YOU ARE THEREFORE:

PAROLED ON OR AFTER 01-26-2001 TO A COMMUNITY CORRECTIONS CENTER ONLY FOR A
MINIMUM OF 3 MONTHS. YOU SHALL ENTER INTO AND ACTIVELY PARTICIPATE IN THE
COMMUNITY CORRECTIONS PROGRAM UNTIL SUCCESSFULLY DISCHARGED BY THE PAROLE
SUPERVISION STAFF. YOU SHALL ABIDE BY ALL THE ESTABLISHED RULES AND
REGULATIONS OF THE COMMUNITY CORRECTIONS PROGRAM. ANY VIOLATION OF THE
PROGRAM RULES OR REGULATIONS MAY CONSTITUTE A VIOLATION OF PAROLE AND RESULT
IN YOUR ARREST. YOU MUST HAVE AN APPROVED PLAN PRIOR TO RELEASE FROM THE
CENTER.
BEFORE YOU CAN BE RELEASED, YOU SHALL PROVIDE PROOF OF PAYMENT OF AT LEAST
\$30.00 OF MANDATORY COURT COSTS (IN ACCORDANCE WITH 18 P.S. § 11.1101).

YOU MUST SUBMIT TO URINALYSIS TESTING. MANDATORY.
YOU SHALL NOT CONSUME OR POSSESS ALCOHOL UNDER ANY CONDITION OR FOR ANY REASON.
YOU SHALL NOT ENTER ESTABLISHMENTS THAT SELL OR DISPENSE ALCOHOL (EXCEPT AS
APPROVED BY THE SUPERVISION STAFF).

(CONTINUE ON PAGE 2)

CC: DISTRICT ATTORNEY

Region I

INSTITUTION

Kathleen Zwierzyzna

KATHLEEN ZWIERZYNA
BOARD SECRETARY

EXHIBIT

Herbst-13

DEF000548

Form DC-135A

Commonwealth of Pennsylvania
Department of Corrections

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

ms. Kodack

2. Date:

5/18/09

3. By: (Print Inmate Name and Number)

Kevin Jessup CX-8799

4. Counselor's Name

Foulds

5. Unit Manager's Name

Dunn

6. Work Assignment

GLP

7. Housing Assignment

B2 26

8. Subject: State your request completely but briefly. Give details.

Can you please schedule me
talk to you or someone in Records
concerning my total time spent
incarcerated at this institution
I believe there is an error
in my sentence calculation
THANKS
Kevin Jessup CX-8799

IF YOU NEED ANSWERS FOR TIME FROM YOUR TCV YOU WILL NEED TO
TALK TO PAROLE. WE HAVE NOTHING TO DO WITH THERE
CALCULATIONS. AS FOR YOUR ORIGINAL SENTENCE IT WOULD'VE HAD
TO BE RIGHT BEFORE YOU WERE PAROLED.

To DC-14 CAR only ☐To DC-14 CAR and DC-15 IRS ☐

Staff Member Name

DHERBST, D. Herbst

Date

5-19-09

Print

Sign

Revised July 2000

EXHIBIT

Herbst-14

Kodack-45

EXHIBIT

Dunn-4

Form DC-135A

INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

Mr. VANDANO ~~Supervisor~~

2. Date:

4/17/09

3. By: (Print Inmate Name and Number)

KEVIN VASSUP CX-8799

4. Counselor's Name

5. Unit Manager's Name

7. Housing Assignment

D.O.C.

6. Work Assignment

8. Subject: State your request completely but briefly. Give details.

I WAS RELEASED FROM FEDERAL CUSTODY ON 4/14/09 AND IMMEDIATELY DETAINED TO PA PAROLE ON VIOLATIONS. I ARRIVED AT S.C.I. CASH ON 4/15/09 AND WAS NOT SPOKEN TO ANY ONE FROM PAROLE ABOUT THIS MATTER. THERE HAS BEEN AN ERROR. I WENT OUT ON PROBATION OF SENTENCE IN 2007. RECORDS WILL VERIFY I WAS ARRESTED ON 1-25-95 SERVED 6 MONTHS ON A 6 TO 12 MO SENTENCE. PAROLED ON 4-2-01. RE-ARRESTED ON 9-26-01 AND REMAINED IN S.C.I. CASH UNTIL 7-18-07. ON 7-18-07 I WAS RELEASED OUT OF S.C.I. CASH AND WAS TAKEN INTO THE U.S. MARSHAL SERVICE FOR A FEDERAL DETAINER. I SERVED 24 MONTHS AND WAS DISCHARGED 7-14-09. NOW I AM BACK IN S.C.I. CASH AND I SHOULD NOT BE BECAUSE MY SENTENCE IS OVER MAX OUT. CAN SOMEONE TELL ME WHATS GOING ON?

your issues can be addressed with both parole and our records office.

Obviously we would not be keeping you past your max date.

To DC-14 CAR only ☐To DC-14 CAR and DC-15 IRS ☐

Staff Member Name

DA. Varano Supr

Print

Sign

Date

4-22-09

Revised July 2000

EXHIBIT

Kodack-31

EXHIBIT

Hedst-15

DEF000566

EXHIBIT

Varano-9

tabbies

tabbies



**COMMONWEALTH OF PENNSYLVANIA
BOARD OF PROBATION AND PAROLE**

Interstate Parole Services Division
1101 South Front Street, Suite 5800
Harrisburg, PA 17104-2538
(717) 787-6134

April 2, 2009

SCI-COAL TOWNSHIP

Re: KEVIN JESSUP
Inst. No. CX-8799
Parole No. 496-AS

Dear Superintendent:

On _____, the above parole violator was lodged in your institution. Although his original maximum sentence was 1/26/2007, his maximum sentence is being extended due to:

- ☒ a new conviction
- ☒ a period of delinquency 06/15/2001

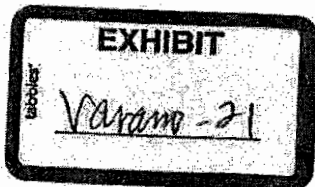
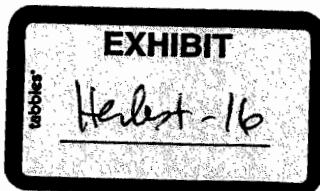
His new maximum sentence is:

- ☐ _____
- ☒ will be computed by the Board

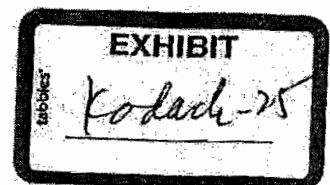
Sincerely,
FOR THE BOARD

Kay Longenberger

Kay Longenberger
Director
Interstate Parole Services



By: Raquel A. Coughlin
Parole Manager



An Equal Employment Opportunity Employer
Accredited by the Commission on Accreditation for Corrections

DEF001041

BURTON A. ROSE
ATTORNEY AT LAW

(10)

1731 SPRING GARDEN STREET
PHILADELPHIA, PA 19130-3893
(215) 564-5550 FAX (215) 567-6809
EMAIL: barose@baroselaw.com

December 3, 2008

Catherine C. McVey, Chairman
Pennsylvania Board of Probation and Parole
1101 S. Front Street, Suite 5100
Harrisburg, PA 17104-2517

RE: Damon Chappelle, a.k.a. Kevin Jessup
Parole No. 496-AS-DOC- CX-8799

Dear Ms. McVey:

Enclosed herewith please find a true and correct copy of an Order dated November 24, 2008 from United States District Judge Timothy J. Savage in Criminal Action No. 02-32-01 which has modified the sentence of the District Court of July 18, 2007 to make the above named defendant's term of imprisonment 24 months effective as of July 18, 2007.

Kindly advise if anything further is required. Thank you for your attention to these matters.

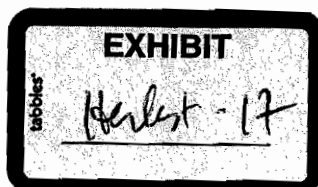
Very truly yours,



BURTON A. ROSE
Attorney for Damon Chappelle

BAR/cab
Enclosure

cc: Honorable Timothy J. Savage
Michael L. Green, Board Member
Mark S. Miller, Esquire, AUSA
Damon Chappelle



DEF000903

APPENDIX B

CX5799

• • • Centralized Classroom:

Attachment A

Page 1 of 2

9/16/2009
Herbst

